



Wellfleet Selectboard

Note: Start Time of 7pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, June 25, 2019, at 7:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667.** *It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.*

I. Announcements, Open Session and Public Comments

Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

II. Licenses

A. One Day Liquor Licenses on July 14 and August 4 – Wellfleet Harbor Actors Theater

III. Appointments/Reappointments

A. Appointments to Local Comprehensive Plan Cte – Jan Plaue, Jay Norton

B. Comprehensive Wastewater Planning Committee – Ryan Curley

C. Reappointments:

a. Bike and Walkways Committee – Ned Oliver

b. Board of Assessors – Nancy Vail

c. Board of Health – Nick Picariello

d. Board of Water Commissioners – Thomas Flynn

e. Building and Needs Assessment – Jay Horowitz

f. Cable Advisory Committee – Tom Cole, Mia Baumgarten, Debra Magee, Jennifer Wertkin

g. Cape Light Compact – David Mead Fox

h. Commission on Disabilities – Fred Gentner

i. Comprehensive Wastewater Planning Committee – Curt Felix

j. Conservation Commission – Barbara Brennessel, John Cumbler

k. Council on Aging Advisory Board – Brian Quigley, Evelyn Savage, Patricia Shannon, Robin Slack

l. Cultural Council – Josie Anderson, Louise Ledkovsky, Rhonda Fowler, Judith Cumbler

m. Energy and Climate Action Committee – Robert Shapiro

n. Historical Commission – Lucas Manning

o. Local Housing Partnership – Judy Taylor

p. Marina Advisory Committee – Frederick Felix, David Stamatis, Alice Iacuesa, John Wolf, Martha Wilson

q. Natural Resources Advisory Board – Laura Hewitt, Thomas Slack

r. Open Space Committee – Bruce Hurter, Robert Jackson, John Cumbler, Thomas Slack, Lynn Southey, Fred Streams

s. Recreation Committee – Rhonda Fowler, Kerry Cox

t. Recycling Committee – Jaya Karlson, Jane Sharp

u. Registrar of Voters – Andrea Pluhar

v. Taxation Aid Committee – Manuel Smith

w. Zoning Board of Appeals – Bruce Drucker, Theodore Heyliger

IV. Use of Town Property

A. Town Hall Driveway on August 3 – AIM Thrift Shop

B. Baker Field on August 5-9, 12-16, and August 19-23 – Neal Nichols, Jr.

- C. **July 4th Parade Route on July 4** – Chamber of Commerce
- D. **White Crest Beach on August 4** – Jessica Vitucci
- V. **Business**
 - A. **Report from the Mayo Creek Restoration Committee** [John Riehl]
 - B. **Discussion of June 13th DCR presentation and Letter in Response to Article 44** [Bike and Walkways Committee]
 - C. **New Selectboard Policy-Local Access Television Policy**
 - D. **Adoption of Herring River MOU IV** [Town Administrator]
- VI. **Selectboard Reports**
- VII. **Town Administrator's Report**
- VIII. **Topics for Future Discussion**
- IX. **Minutes**
 - A. **June 11, 2019**
- X. **Adjournment**



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

II

LICENSES – A

REQUESTED BY:	Principle Clerk
DESIRED ACTION:	Approval of One Day Liquor Licenses on July 14 and August 4
PROPOSED MOTION:	I move to approve the applications for one day liquor licenses for Wellfleet Harbor Actors Theater on July 14, 2019 from 6 PM to 10 PM and August 4, 2019 from 4 PM to 8:30 PM.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
APPLICATION FOR SPECIAL EVENT LIQUOR LICENSE

19-3
19-4

1. Applicant Outermost Performing Arts Center/WHAT Affiliation Self

Address 2357 State Hwy Route 6, PO Box 797, Wellfleet, MA 02667 Telephone 508-349-9428

2. Type of License All Alcohol (\$150.00/day) \$300 Beer and Wine (\$100.00/day) _____

3. Type of Activity Being Conducted Two (All Alcohol) Fundraisers

4. Date Fundraisers are July 14 & August 4

Hours of Service July 14 6-10PM, August 4 4-8:30PM

5. Description of Premises The Larry Phillips Performance Pavilion. This is our seasonal tent June – September that is behind the Theater

6. Name, Address, Telephone of Designated Manager (person responsible for activity)

Christopher Ostrom, Executive Director, PO Box 797, Wellfleet, MA, 02667, 508-349-9428 ext 105

7. If activity involves food service, please describe fully (i.e. raw shellfish, heated casseroles, bakery goods, etc.)

All Fundraisers include both drinks and food. Fundraisers will be catered food

that may include raw bar, food trucks and plated food.



Applicant's signature

MAY 22 2019

Fee: 300 -

Processing Fee \$50.00

Police Department

[Signature]
Comments/Conditions 5/27/19

OK

Building Department

[Signature] 06-11-19
Comments/Conditions OK

Fire Department

[Signature]
Comments/Conditions 5/30/19

OK

Health Department

[Signature]
Comments/Conditions OK

TEMP FOOD SERVICE PERMITS
NEEDED

DPW Department

[Signature]
Comments/Conditions 6/10/19

Town Administrator

[Signature]
Comments/Conditions

Other

[X]

Other

[X]

Date Received

Fee

Date Issued



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

III

APPOINTMENTS – A

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Appointment of Jan Plaue and Jay Norton to the Local Comprehensive Planning Committee
PROPOSED MOTION:	I move to appoint Jan Plaue and Jay Norton to the Local Comprehensive Planning Committee.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

III

APPOINTMENTS – B

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Appointment of Ryan Curley to the Comprehensive Wastewater Planning Committee
PROPOSED MOTION:	I move to appoint Ryan Curley to the Comprehensive Wastewater Planning Committee for a term to expire on June 30, 2020.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

FILL OUT THE FORM BELOW and mail or bring it to:
Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

Name Ryan Curley Date 5/24/2019

Mailing Address PO Box 1847, Wellfleet, MA, 02667

Phone (Home) _____ (cell) 508-246-4718

E-mail ryan.d.curley@gmail.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: _____

Extensive business background, public relations, etc. Long term interest and residency in town

Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

BA in History minor in Political Science

Committees/Boards of Interest: 1) Comprehensive Wastewater Management

2) _____

3) _____

MAY 28 2019

Town of Wellfleet Boards and Committees

Bike & Walkway Committee	3 year term
Board of Assessors	3 year term
Board of Health	3 year term
Board of Water Commissioners	3 year term
Building and Needs Assessment	3 year term
* Bylaw Committee	3 year term
Cable Advisory Committee	1 year term
Cape Cod Commission	3 year term
Cape Cod National Seashore Advisory Commission	
Cape Cod National Seashore Collaborative	
Charter Review Committee	
Citizens Economic Development Committee	1 year term
Commission on Disabilities	3 year term
Community Preservation Committee	3 year term
Comprehensive Wastewater Management	3 year term
Conservation Commission	3 year term
Council on Aging	3 year term
Cultural Council	3 year term
Energy Committee	3 year term
* Finance Committee	3 year term (ATM)
Health Care Campus Committee	Indefinite
Historical Commission	3 year term
Herring River Restoration Committee	
Housing Authority	5 year term (ATM)
Local Housing Partnership	1 year term
Marina Advisory Committee	2 year term
Natural Resources Advisory Committee	3 year term
Open Space Committee	1 year term
Personnel Board	3 year term
Planning Board	5 year term
Recreation Committee	3 year term
Recycling Committee	3 year term
Shellfish Advisory Board	3 year term
* Social and Human Services Committee	3 year term
Wastewater Planning Committee	
Zoning Board of Appeals	3 year term



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

III

REAPPOINTMENTS

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Reappointments
PROPOSED MOTION:	<p>I move to reappoint the Committee and Board members as listed on the Reappointments List from the Principal Clerk to the respective committees and boards as listed for terms as listed.</p> <p>OR</p> <p>I move to reappoint _____ to the _____ for a term to expire in _____.</p>
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Reappointments:

<u>Bike and Walkways</u>	Ned Oliver	<u>2022</u>
<u>Board of Assessors</u>	Nancy Vail	<u>2022</u>
<u>Board of Health</u>	Nick Picariello	<u>2022</u>
<u>Board of Water Commissioners</u>	Thomas Flynn	<u>2022</u>
<u>Building and Needs Assessment</u>	Jay Horowitz	<u>2022</u>
Cable Advisory	Tom Cole	2020
	Mia Baumgarten	2020
	Debra Magee	2020
	Jennifer Wertkin	<u>2020</u>
<u>Cape Light Compact</u>	David Mead-Fox	<u>2022</u>
<u>Commission on Disabilities</u>	Fred Gentner	<u>2022</u>
<u>Comprehensive Wastewater</u>	Curt Felix	<u>2022</u>
Conservation Commission	Barbara Brennessel	2022
	John Cumbler	<u>2022</u>
Council on Aging	Brian Quigley	2022
	Evelyn Savage	2022
	Patricia Shannon	2022
	Robin Slack	<u>2022</u>
Cultural Council	Josie Anderson	2022
	Louise Ledkovsky	2022
	Rhonda Fowler	2022
	Judith Cumbler	<u>2022</u>
<u>Energy Committee</u>	Robert Shapiro	<u>2022</u>
<u>Historical Commission</u>	Lucas Manning	<u>2022</u>
<u>Local Housing Partnership</u>	Judy Taylor	<u>2020</u>

Marina Advisory Committee	Frederick Felix	2021
	David Stamatis	2021
	Alice Iacuesa	2021
	John Wolf	2021
	Martha Wilson	2021
NRAB	Laura Hewitt	2022
	Thomas Slack	2022
Open Space	Bruce Hurter	2020
	Robert Jackson	2020
	John Cumbler	2020
	Thomas Slack	2020
	Lynn Southey	2020
	Fred Streams	2020
Recreation Committee	Rhonda Fowler	2022
	Kerry Cox	2022
Recycling Committee	Jaya Karlson	2022
	Jane Sharp	2022
Registrar of Voters	Andrea Pluhar	2022
Taxation Aid Committee	Manuel Smith	2022
Zoning Board of Appeals	Bruce Drucker	2022
	Theodore Heyliger	2022



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

IV

USE OF TOWN PROPERTY – A

REQUESTED BY:	Principle Clerk
DESIRED ACTION:	Approval of the use of Town Hall Driveway on August 3 by AIM Thrift Shop
PROPOSED MOTION:	I move to approve the use of the Town Hall Driveway on August 3 from 8:30-10:30 AM, with a rain date of August 10, by the AIM Thrift Shop, subject to the conditions, if any, as listed on the application form for no fee.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant Lydia Vivante

Affiliation or Group AIM Thrift Shop

Telephone Number 508 349 6622

Mailing Address PO Box 214

Email address aimthriftshop@gmail.com

Wellfleet, MA 02667

Town Property to be used (include specific area) Town Hall driveway
(beside Abiyoyo)

Date(s) and hours of use: SAT AUG. 3 8:30-10:30 AM RAIN DATE
AUG 10

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also, please indicate if fees will be charged by applicant.

10th Annual AIM Art Sale. Proceeds benefit
health-related nonprofits on the Outer Cape.
All volunteer-run - No food, no bev.
FREE!

Describe any Town services requested (police details, DPW assistance, etc.)

Place cones or barrier at entrance
while we load and unload

NOTE TO APPLICANTS: All applications must be accompanied by a non-refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to ensure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____



_____ Disapproved for following reason(s): _____


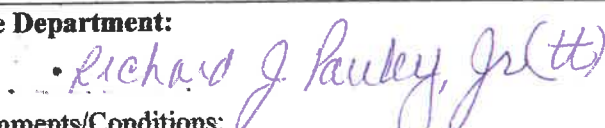
Date: _____


Processing Fee: \$50.00



Fee: _____

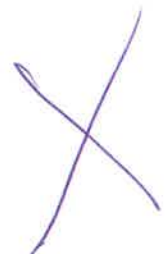

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: Comments/Conditions: Permits/Inspections needed:		Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:	
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Police Department:  Comments/Conditions: OK	6/19/19	Fire Department: •  Comments/Conditions: OK
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DPW: Comments/Conditions	Community Services Director: Comments/Conditions:	
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Harbormaster: Comments/Conditions		Shellfish: Comments/Conditions	
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Recreation: Comments/Conditions		Town Administrator:  Comments/Conditions
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BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date: June 25, 2019

IV

USE OF TOWN PROPERTY – B

REQUESTED BY:	Principle Clerk
DESIRED ACTION:	Approval of the use of Baker Field on August 5-9, 12-16, and August 19-23 by Neal Nichols, Jr.
PROPOSED MOTION:	I move to approve the use of Baker Field by Neal Nichols, Jr. on August 5-9 from 1PM to 3PM; August 12-16 from 1PM to 3PM; and August 19-23 from 9AM to 12 NOON, subject to the conditions, if any, as listed on the application form for a fee of \$110.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

19-17

Applicant NEAL NICHOLS JR Affiliation or Group ARTIST

Telephone Number 774-722-2358 Mailing Address PO BOX 738

Email address GEOGRAPHYGAMESHOW@YAHOO.COM N. EASTHAM, MA 02651

Town Property to be used (include specific area) BAKERS FIELD, WELLFLEET.

BENCH NEAR SKATEPARK; OCCASIONAL TABLE UNDER TENT

Date(s) and hours of use: 5-9 AUG, 12-16 AUG 1-3 PM; 19-23 AUG 2019; 9-12 AM

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also, please indicate if fees will be charged by applicant.

DRAWING LESSONS; MATERIALS PROVIDED TO STUDENTS (PENCIL-PAPER-ERASER-SHARPENER)
WORK IS CONDUCTED AT TABLE, NO EQUIPMENT REQUIRED. PARENTS DROP STUDENTS OFF,
AND PICK UP AFTER CLASS SESSION. SINCE 2006; AVERAGE ENROLLMENT HAS BEEN 2-5 KIDS;
OPEN TO AGE 5-ADULT. \$180 M-F; LOW INCOME STUDENTS GRANTED FREE CLASS. NO PRICING
INCREASES HAVE BEEN MADE SINCE 2006; AS TO MAINTAIN ACCESS TO ALL INTERESTED,

Describe any Town services requested (police details, DPW assistance, etc.)

NO ASSISTANCE IS NECESSARY;

NOTE TO APPLICANTS: All applications must be accompanied by a non-refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to ensure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____

Date: _____

Processing Fee: \$50.00 paid

Fee: (110)

LL MAY - 2 2019

(over)

EACH YEAR SINCE 2006; I HAVE OFFERED DRAWING CLASSES IN WELFLEET DURING THE FIRST THREE WEEKS OF AUGUST. EACH SESSION BUILDS THE STUDENTS ABILITY TO UNDERSTAND AND COMPREHEND THE BASIC ELEMENTS OF DRAWING AND PERSPECTIVE. THE BREAKDOWN IS AS FOLLOWS:

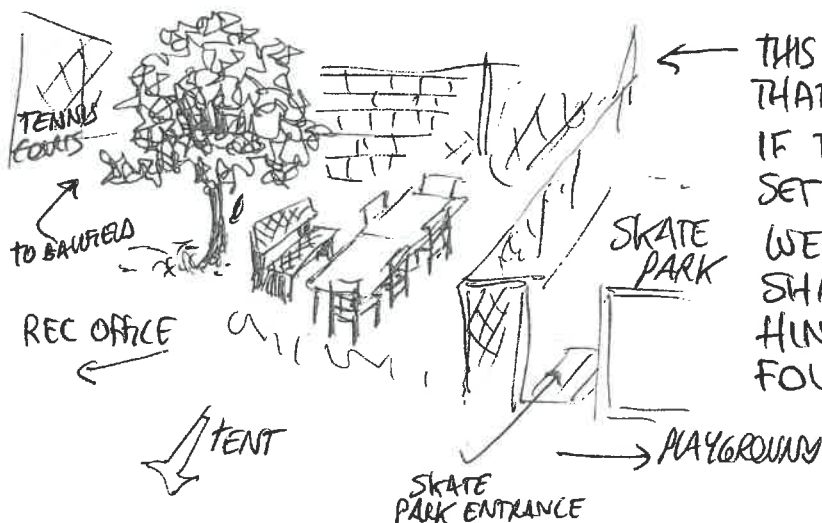
DAY 1, MONDAY - STUDENTS ARE ISSUED SUPPLIES THEY WILL KEEP AFTER THE WEEKLONG COURSE, AND DRAW A RENDITION OF "A HOUSE," THIS INITIAL DRAWING IS KEPT FOR THEM UNTIL FRIDAY AS TO PROVE THE LEVELS OF PROGRESS. "ONE POINT PERSPECTIVE" IS INTRODUCED, AND A SIMPLE AT HOME PRACTISE IS GIVEN.

DAY 2; TUESDAY - A BASIC CRITIQUE OF WORK INTERACTIVE WITH STUDENTS, EXAMPLES SHOWN; AND "TWO POINT PERSPECTIVE" IS INTRODUCED,

DAY 3; WEDNESDAY; CRITIQUE, AND PRACTISE DRAWING TECHNIQUES; HENCE TONE, SHADOW, TEXTURE, ETC.. AND SUPPLIED "TEDDY BEARS" BECOME STILL LIFE MOTIF, AS TO AVOID OUTWING IMAGE, AND APPLY TECHNIQUE AND SKILL TO THE DRAWING.

DAY 4; THURSDAY; RETURN TO THE HOUSE/PERSPECTIVE MOTIF APPLYING THE ADDED SKILLS FROM WEDNESDAY'S DRAWING IN TONE, SHADOW, ETC; INTRODUCTION TO DETAIL IS ALSO APPLIED.

DAY 5; FRIDAY; STUDENTS ARE BRIEFED ON THE REVIEW OF WEEK'S WORK, AND ILLUSTRATE THE FINAL DRAWING OF "A HOUSE". THE ORIGINAL WORK FROM MONDAY IS RETURNED; ALONG WITH A CERTIFICATE OF COMPLETION; HENCE ENDING THE SESSION CHAPTER.



← THIS IS A PERFECT "OUT OF THE WAY" AREA THAT HAS BEEN SUCCESSFUL.

IF TENT IS OPEN; TABLE (FOLDING) IS SET UP AT STAGE END; PUBLIC IS WELCOME TO ALSO USE TENT FOR SHADE, ETC. NEVER HAS BEEN A HINDRANCE. THIS WILL BE THE FOURTEENTH CONSECUTIVE YEAR OF MY DRAWING CLASSES.

DRAWING CLASSES - HOST: NEAL NICHOLS, JR.

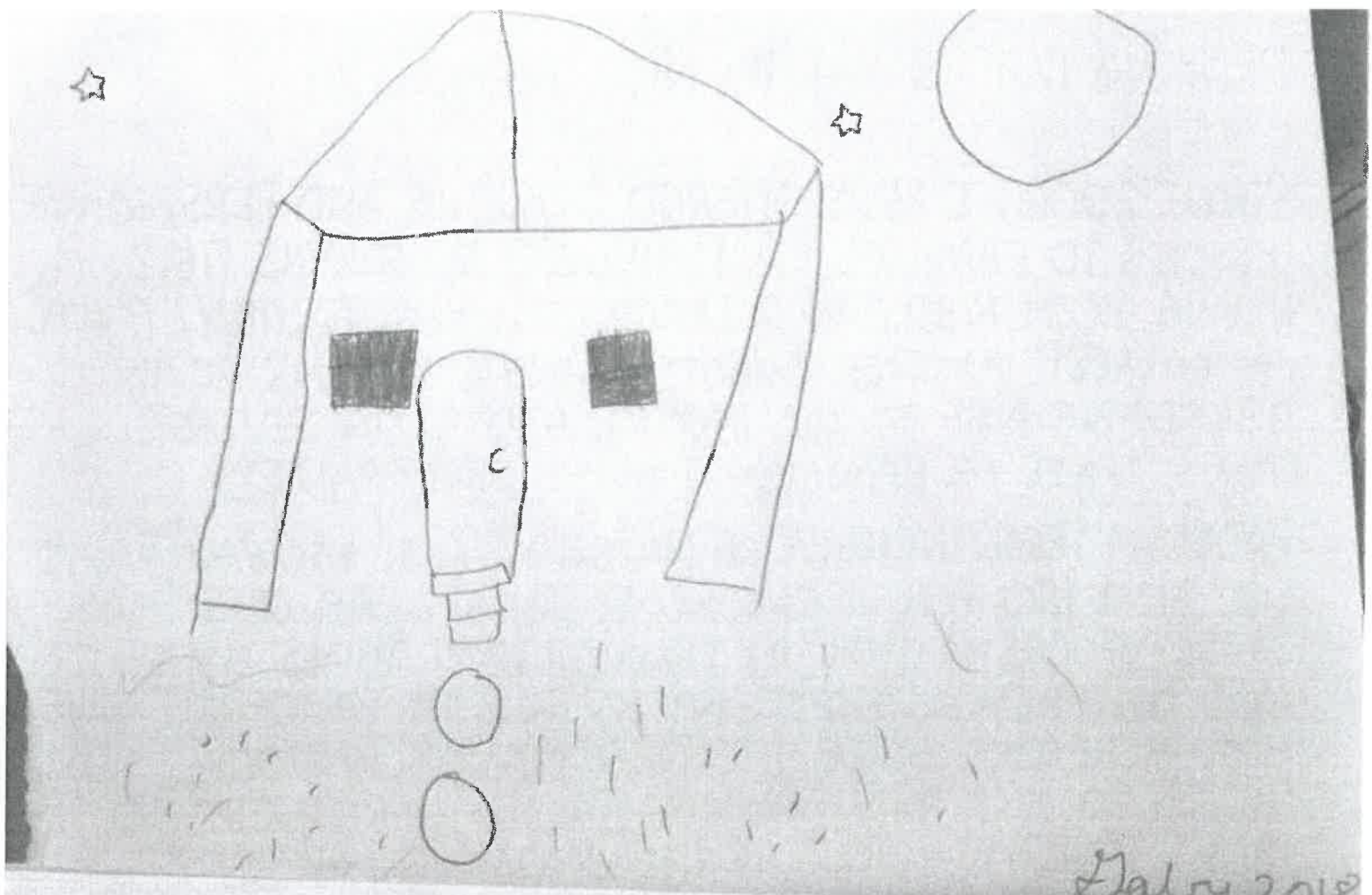
SINCE 2006, I HAVE OFFERED DRAWING AND PERSPECTIVE LESSONS TO FAMILIES EACH AUGUST AT BAKERS FIELD. HAVING BEEN RAISED IN A LARGE WELFLEET FAMILY, IT WAS MY INTEREST TO OFFER QUALITY DRAWING LESSONS AT AN AFFORDABLE RATE TO ALL INCOME LEVELS. IN SEVERAL CASES, "FREE OR REDUCED" PRICING WAS GRANTED.

PROGRAM FEES, INCLUSIVE OF MATERIALS (EST \$30 EACH) WAS SET AT \$180 PER WEEKLONG SESSION, FAR LESS THAN THOSE OF CASTLE HILL IN TRURO, AVERAGING \$455, PWS MATERIALS. THESE RATES FOR MY PROGRAMS HAVE NOT INCREASED SINCE THE FIRST CLASSES IN 2006. SHOULD POLITICS AND FINANCES ALLOW, THERE EXIST NO PLANS TO RAISE PRICES IN THE UPCOMING YEARS.

IN THE EVENT OF AN ASSESSED FEE TO CONDUCT CLASSES IN PUBUC LANDS, PLEASE CONSIDER A "PER ENROLLED" STUDENT BASIS VS. A FIXED RATE; AS IT IS COMPLETELY UNKNOWN AS TO ENROLEMENT SIZE UP TO THE DATE OF THE FIRST MEETING. IN SOME WEEKS, I'VE HAD ONLY TWO STUDENTS, WHERE OTHERS AVERAGED THREE TO SIX. OVERALL, IT IS THE FIRST THREE AUGUST WEEKS ONLY THAT I AM HOME TO CONDUCT THESE CLASSES.

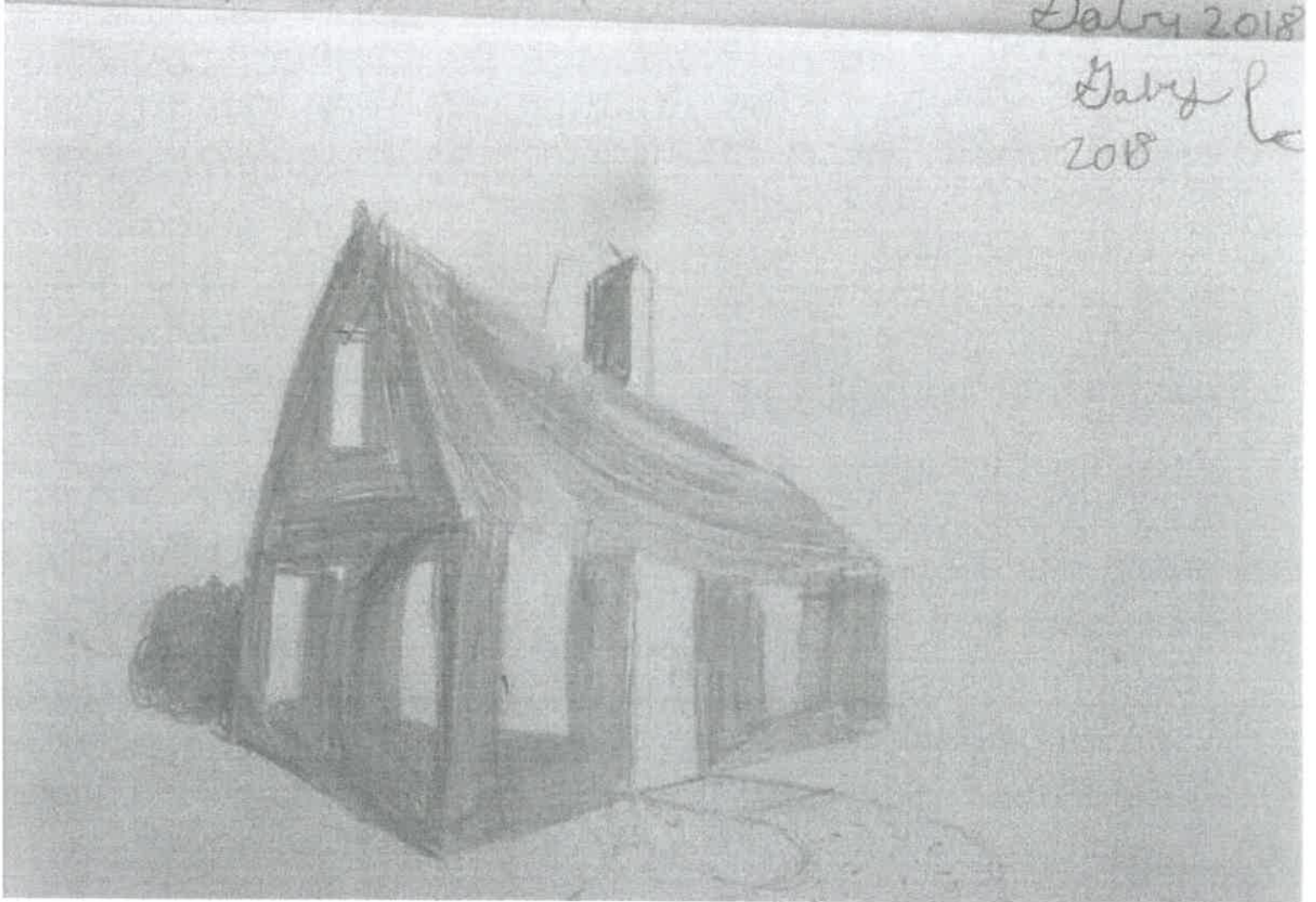
LASTLY, THE VENUE IS TECHNICALLY A "MEETING PLACE" TO DRAW AND INSTRUCT VARIOUS ART TECHNIQUES. IN EXAMPLE, "UNDER THE TENT", OR "NEAR THE SKATE PARK" IS NON RESTRICTING TO PUBUC ACCESS OR USE. NEVER HAVE I REQUIRED "EXCLWSIVE USE", NOR WILL THESE DRAWING CLASSES FORBID ACCESS TO ANYONE,

RESPECTFULLY SUBMITTED - NEAL NICHOLS, JR. 2019



Dalry 2018

Dalry L
2018





BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

IV

USE OF TOWN PROPERTY – C

REQUESTED BY:	Principle Clerk
DESIRED ACTION:	Approval of the use of July 4 th Parade Route
PROPOSED MOTION:	I move to approve the use of Town property for the Annual 4 th of July Parade on Thursday, July 4, 2019 from 8AM to 11AM, subject to the conditions, if any, as listed on the application.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
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Police Department: <i>[Signature]</i> 6/7/19 Comments/Conditions: OK	Fire Department: 6/11/19 Comments/Conditions: <i>[Signature]</i> OK
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DPW: <i>[Signature]</i> 6/12/19 Comments/Conditions: OK	Community Services Director: Comments/Conditions:
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Harbormaster: <i>[Signature]</i> 6/11/19 Comments/Conditions: OK	Shellfish: Comments/Conditions:
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Recreation: Comments/Conditions:	Town Administrator: <i>Daniel R. Hoort</i> Comments/Conditions:
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BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date: June 25, 2019

IV

USE OF TOWN PROPERTY – D

REQUESTED BY:	Principle Clerk
DESIRED ACTION:	Approval of the use of White Crest Beach by Jessica Vitucci
PROPOSED MOTION:	I move to approve the use of White Crest Beach by Jessica Vitucci on Sunday, August 4, 2019 from 5:45PM to 7:15PM, subject to the conditions, if any, as listed on the application form for a fee of \$110.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant: Jessica Vitucci

Telephone Number: 607-227-3756 Mailing Address 320 East 25th Street (4GG) New York, NY 10010

Email address: jvitucci2@gmail.com

Town Property to be used (include specific area) White Crest Beach

Date(s) and hours of use: Sunday, August 4, 2019 (between 5:45-7:15pm)

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also, please indicate if fees will be charged by applicant.

Small wedding ceremony with our family (10 people). No equipment, or food and beverage.

Describe any Town services requested (police details, DPW assistance, etc.)

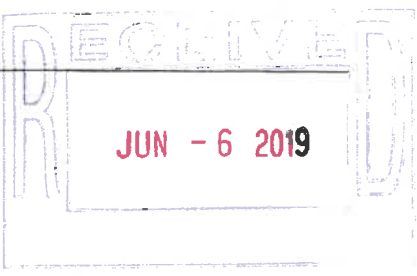
None

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to ensure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Proof of Insurance Required
_____ Approved as submitted
_____ Approved with the following condition(s): _____
_____ Disapproved for following reason(s): _____

Date:


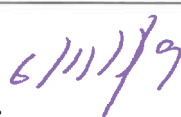



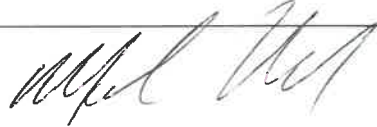
Processing Fee: \$50.00

Fee: (\$110)

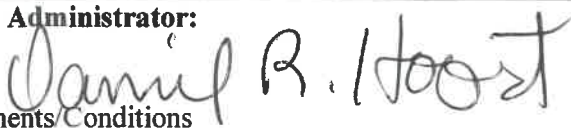
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
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Police Department:  Comments/Conditions: 6/17/19 OK	Fire Department:  Comments/Conditions: 6/11/19  OK
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DPW:  Comments/Conditions: OK 6/19/19	Community Services Director: Comments/Conditions:
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Harbormaster: Comments/Conditions	Shellfish: Comments/Conditions
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Recreation: Comments/Conditions	Town Administrator:  Comments/Conditions
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BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

V

BUSINESS – A

REQUESTED BY:	John Riehl
DESIRED ACTION:	Report from the Mayo Creek Restoration Committee
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

Mayo Creek Restoration Committee

An ad hoc Mayo Creek Restoration Committee is established for the following purposes:

- To identify the benefits and drawbacks to the Town resulting from the restoration of the Mayo Creek salt marshes;
- To plan, permit and execute necessary tests and verifications in support of restoration planning;
- To engage with the public and abutters to address benefits and concerns;
- To prepare and submit a restoration plan for Board of Selectmen approval ; and
- To fund the restoration planning without use of Town funds;

The committee shall have a life of three years. There shall be five members, of three years terms each. The members are appointed by the Board of Selectmen upon a recommendation from the Comprehensive Waste-Water Planning Committee, Natural Resources Advisory Board, Conservation Commission, Shellfish Advisory Board and Marina Advisory Committee. Administrative liaison will be provided by the Town Conservation Agent.

Address

300 Main Street
Wellfleet, MA 02667
United States
See map: [Google Maps](#)

Members

Name	Title	Term
Walter Baron	Marina Advisory Board nominee	6/30/2019
John Portnoy	Conservation Commission nominee	6/30/2019
	Shellfish Advisory Board nominee	6/30/2019
John Riehl	Narural Resource Advisory Board nominee	6/30/2019
Patrick Winslow	Comprehensive Wastewater Planning Committee nominee	6/30/2019

Mayo Creek Restoration Committee
Final Report and Recommendations

10 June 2019

Summary

The Mayo Creek Restoration Committee was appointed in 2014 to study alternatives for habitat restoration in the diked Mayo Creek estuary. The ecosystem suffers from over 100 years of habitat loss and water-quality degradation. The Committee researched Health Department records and information from abutters and property owners, conducted field observations of tide and groundwater levels, contracted elevation surveys and contracted and directed hydrodynamic modeling to find a way to maximize salt-marsh restoration upstream of the Commercial Street causeway without harming upstream properties.

Replacement of the Commercial Street culvert with an enlarged culvert (e.g. 6 X 7 ft) with active water-level control (adjustable gates), along with excavation of the upstream creek channel, can yield 20 acres of estuarine habitat restoration and over five feet of tidal range (as opposed to the existing 1.7 ft). The Committee believes that this can be accomplished without harm to adjacent development including the lowest structures, wastewater systems and supply wells. This alternative should also expedite the drainage of flood water during low tides, for example after heavy rain and in the event of an overwash of the Mayo barrier beach. A very preliminary cost range for the large and adjustable culvert is \$2-4 million.

The Committee believes that it has accomplished its charge. We recommend that the Town proceed to initiate detailed restoration planning, with a goal of obtaining permitting approvals and eventual restoration implementation.

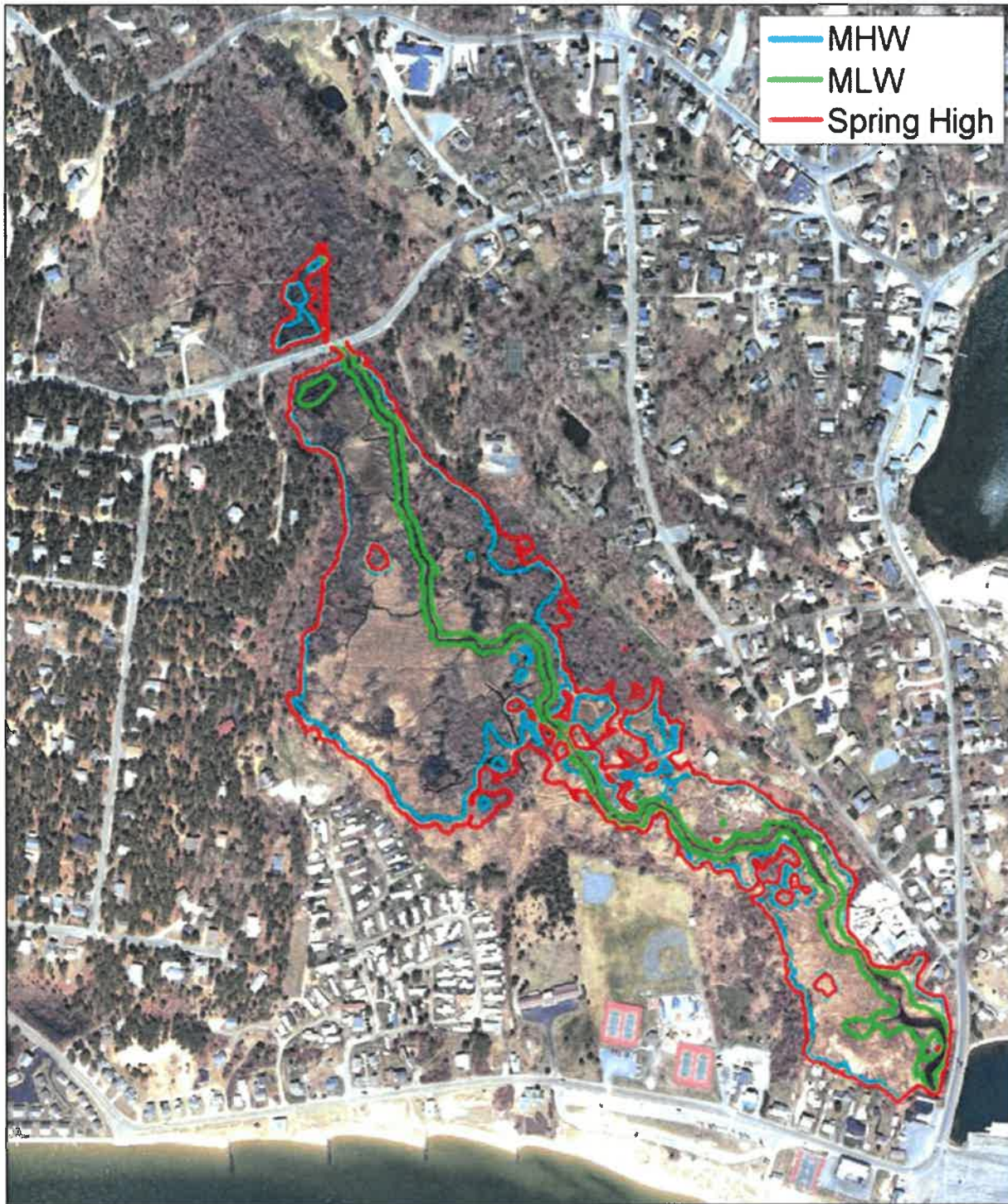


Figure 6. Aerial view of Mayo Creek showing the extent of mean high water (MHW), mean low water (MLW) and spring high tide under a scenario that maximizes salt-marsh restoration without flooding existing infrastructure (Woods Hole Group 2016).

Some History

The Mayo Creek Restoration Committee has studied the diked Mayo Creek (West Branch of Duck Creek, **Figure 1**) estuary since 2014, conducted office and field research, directed hydrodynamic modeling and held meetings with abutters, property owners and the general public. An interested audience has also been attending our open Committee meetings. The Committee herewith presents its findings and recommendations to the Selectboard regarding the advisability and next steps in habitat restoration.

The Mayo Creek estuary formed thousands of years ago behind the Mayo Beach barrier spit, and is bordered on three sides by hills: Summit Hill, Taylor Farm and the ridge along Holbrook Avenue. The original tidelands covered about 60 acres. Well drilling logs in and near the flood plain (Wellfleet Health Department; F. Cappello, personal communication) show several thick layers of clay, probably sediments deposited in glacial lakes during the last glacial retreat.

Tides and seawater were blocked from this back-barrier salt marsh in 1909 when, with the intention of filling the tidelands and probably to save money, the Town replaced a bridge across the original 100-foot-wide inlet with a solid-fill dike (Commonwealth of Massachusetts 1909, **Figure 2**). This dike currently serves as a causeway connecting Commercial Street with the Wellfleet Marina and Kendrick Avenue. The only opening for water passage through the dike is a two-foot-diameter culvert intended to allow freshwater drainage to the harbor; a one-way valve at the seaward end of this culvert prevents nearly all saltwater inflow to the Mayo Creek estuary. About 15 acres of the original tidelands were filled with harbor dredged material in the early to mid-20th century; this fill enabled the development of Bakers Field (1909 Annual Town Report), portions of the Harborside Village trailer park, and other low properties.



Figure 2. 1848 map of Wellfleet Harbor showing bridge over the natural Mayo Creek inlet, about 260 feet wide.

As a result of these man-made changes, the original back-barrier salt marsh is a highly degraded freshwater wetland. Original highly productive salt marsh grasses have been replaced by *Phragmites australis* (Common Reed), of much lower value to fish and wildlife, with freshwater wetland and upland shrubs and trees at higher elevations. As a result of negligible tidal flushing, the creek is chronically low in dissolved oxygen (APCC 2011), explaining the dearth of aquatic fauna, and high in nitrogen compounds and fecal coliform bacteria. Nitrogen

loading to Wellfleet Harbor may be contributing to excessive algae blooms and oxygen depletion in the summer months. Fecal coliform is the microbial group used by public health officials to classify shellfish waters; as little as 14 CFU (colony-forming units) per 100 ml cause the closure of shellfish beds. Shellfish bed closures due to fecal coliform are common in the inner harbor and Duck Creek.

For about the past 10 years, the Town has investigated restoration of this estuary, initially through the Harbor Management Plan of 2006 and the Town Conservation Agent and, since 2014, through the Mayo Creek Restoration Committee. Over that period, the Committee has sought tidal-restoration alternatives that meet two criteria: 1) substantial salt-marsh restoration area within the Mayo Creek flood plain and 2) protection of surrounding infrastructure. This work has been guided by hydrodynamic modeling of physical alternatives by Woods Hole Group (WHG), under contract to the Town and funded by grants from the MassBays and Coastal America Programs. This report summarizes the Committee's current state of knowledge regarding: 1) justification for tidal restoration; 2) constraints on habitat restoration imposed by development; 3) an evaluation of management alternatives; and 4) recommendations for a physical restoration alternative (with preliminary cost estimate) and associated additional studies.

Justification for tidal restoration

Besides the water quality problems and salt-marsh vegetation loss mentioned above, the continued blockage of tides from Mayo Creek marshes also blocks sediment supply and limits the marsh's ability to grow upward as sea level rises (Turner 2004, Portnoy & Giblin 1997). In this way the storm-surge protection that this wetland would provide to shoreline properties is diminished - a condition that will become increasingly threatening with climate warming, accelerating sea-level rise and increased storm intensity. It is important to note that the principal storm-surge protections for low-lying properties around Mayo Creek are the Mayo barrier beach and marshlands, and not the Commercial Street causeway, which is too low to serve as a flood barrier.

The diked Mayo Creek flood plain is further threatened by prolonged flooding after major rain events, and an inevitable future overflow of Mayo Beach, by the undersized culvert under Commercial Street that provides the only outlet for water impounded in the diked wetland. This prolonged flooding was evident in computer simulations of heavy rain events (WHG 2011).

Mayo Creek wetlands are located strategically along the groundwater flow path between Town Center, with many on-site wastewater systems and high groundwater nitrogen, and nitrogen-sensitive Wellfleet Harbor. Coastal wetlands, and especially regularly flooded salt marshes, can remove nitrogen before its discharge to surface waters. Diked and drained wetlands lose much

of their nitrogen-removal capacity (Venterink et al. 2002). The importance of maintaining good water quality for the Harbor's shellfish industry and for public recreation is obvious (Massachusetts Estuaries Project 2017).

Restoration of the Mayo Creek estuary is part of the Town's Comprehensive Wastewater Management Plan ("208 plan"). MCRC has been communicating with the Wellfleet Comprehensive Wastewater Planning Committee (CWWPC) on the role of Mayo Creek restoration in this plan. The CWWPC has recently supplied MCRC with an estimate of 2000 kg/year nitrogen removal in a restored Mayo Creek. The Town's 208 plan requires the Town of Wellfleet to achieve a remediation goal of 10,000 kg/year.

Tidal salt marsh estuaries are of fundamental importance to the biological health and diversity of harbors. The diking and subsequent fill of Mayo Creek has eliminated about 60 acres of habitat for estuarine fish, shellfish, mammals, waterbirds, and the State-listed Diamondback Terrapin. Salt marshes serve as nurseries for both forage fish and for their larger predators like Bluefish, Striped Bass and Winter Flounder, all of commercial and recreational value.

Natural salt marshes store carbon faster and retain it longer than any other ecosystem on the planet; they are net sinks for atmospheric carbon dioxide. In contrast, diked and freshened marshes, like tide-restricted Mayo Creek, have been found to be net sources of greenhouse gases including highly heat-absorbing methane (Drake et al. 2015).

Despite purported mosquito control, historic salt marsh diking has been shown to increase mosquito breeding by degrading water quality and habitat for predatory fish and reducing tidal flushing (Easton & Marshall 2000, Portnoy 1984, Portnoy et al. 2016). For this reason, the Cape Cod Mosquito Control Project supports tidal restoration in Mayo Creek (letter of 20 August 2014, **appended**) and similarly altered coastal wetlands.

Constraints on habitat restoration imposed by infrastructure

The Committee determined the following through Health Department record searches, consultation with scientific and engineering experts, literature research, field surveys and extensive meetings and interviews with project abutters. Technical reports that formed the basis of our conclusions are available upon request, and will be submitted to the Town for inclusion on its website. **Note that elevations are all relative to NAVD88.** See Table 1 and **Figure 3** for a summary of critical tidal, land-surface and structural elevations.

Mayo Creek Today

1. After 109 years of tidal restriction, the Mayo Creek estuary suffers from dissolved oxygen stress, high nitrogen and fecal coliform pollution and the invasion of non-native

Phragmites australis and upland shrubs and trees, which have displaced native salt-marsh plants (APCC 2011).

2. Since diking, creek channels upstream of Commercial Street have filled with sediment.
3. Existing tidal range in diked Mayo Creek is only 1.7 ft, as opposed to the 10-ft range in Wellfleet Harbor; the former results in negligible marsh inundation (WHG 2011; Fig. 3: plot of relative elevations).
4. Existing mean tide level in Mayo Creek is -1.7 ft; it is -0.42 ft in Wellfleet Harbor (WHG 2011).
5. The land-surface elevation of developed fill is generally 2-4 ft (Outermost Land Survey), at least a foot below the height of average high tide (~5 ft) in the Harbor.

Low-lying Structures

6. Development within and around the diked flood plain since 1909 severely limits the Town's restoration options because of low-lying structures and other infrastructure, as indicated below.
7. The land surface at the lowest maintained yard within the diked flood plain is at an elevation of about 1.3 ft (Outermost Land Survey). It, and many other abutting parcels, are also fronted by embankments extending down to the marsh surface. Note that high tides in an unrestricted Wellfleet Harbor regularly reach about 5 ft. Respecting this constraint limits the maximum marsh restoration to about 20 acres and the maximum depth of high-tide flooding across a restored marsh to 1-2 feet.

Wastewater Systems

8. The elevation of the water table at the coast is equal to the mean tide height at the shoreline; thus, any increase in mean tide level will raise the water table to some extent along the shore. This could reduce the separation distance between the lowest wastewater leachfield and the water table; a five-foot separation is currently required by the State health code to reduce bacterial contamination.

We have reviewed Wellfleet Board of Health data on wastewater systems abutting Mayo Creek. Most are either distant from the creek or are already protected as, for example, sealed systems. However, there are several sub-surface waste-water systems near Mayo Creek that may be at risk due to a rise in the water table, either due to actual interference with operations or health code violations. The lowest sub-surface wastewater disposal system in or near the flood plain (Wellfleet Marine Corp.) is at elevation 6.8 ft (Board of Health data). This barely meets the minimal separation distance to groundwater mandated by the health code, and any increase in mean tide level in Mayo Creek could reduce this separation further.

Therefore, unless this leachfield were elevated, the only alternative is to manage tides so that the mean tide level remains at or below existing conditions. Hydrodynamic modeling (WHG 016) has shown that dredging to deepen the creek is required to both maintain the existing mean tide height in Mayo Creek and achieve significant tidal range for about 20 acres of salt marsh restoration.

Restoring the natural depth of Mayo Creek has the added benefit of restoring a natural marsh connection to the harbor.

9. Groundwater monitoring has found that shallow groundwater in developed fill is well above and unaffected by water levels in Mayo Creek (**Figure 4**); therefore, any ponding on Baker's Field and other developments on fill over original Mayo Creek marshes is the result of direct precipitation, and not surface flooding from Mayo Creek. This shallow groundwater table is slightly above the mean tide height of, and fluctuates with the tides in, Wellfleet Harbor, indicating a strong hydraulic connection with the Harbor, and not Mayo Creek. (MCRC water table monitoring 2015).

Drinking Water Systems

10. The MCRC has reviewed drinking water installations for properties abutting Mayo Creek. Most of these are on higher ground on Summit Hill and along Holbrook Avenue. These are hydrologically up-gradient from the low-lying Mayo Creek marsh (Cape Cod Commission Water Table Map 2002).

Most private-supply wells located in lowlands from the foot of Holbrook Avenue west along Kendrick are now on Town water. We believe that the others are also low risk (for reasons see below). However, if necessary, well relocation or agreements to supply Town water are possible.

11. Private water-supply wells around Mayo Creek should not be affected by tidal restoration because of their depth, the thickness of the freshwater lens and, in some cases, intervening layers of impermeable clay (Personal communications, Cape Cod Commission and Horsley Witten hydrologists 2018; see also Martin 2007 for additional background information). Hydrologic studies by USGS (J.A.Colman & J.P.Masterson 2007, Weiskel et al. 2016) and water-table mapping by the Cape Cod Commission (2002) strongly suggest a flow of groundwater from the hills surrounding the Mayo Creek marsh to the marsh basin. This flow of fresh groundwater typically extends under coastal marshes like Mayo Creek (Portnoy et al. 1998), and blocks the penetration of salty water into the freshwater aquifer, protecting water-supply wells.

We have discussed this analysis with outside hydrology experts from the County, Federal government and private consultants. These all support this analysis.

12. Moreover, the proposed restoration design would maintain the current mean tide level in the restored Mayo Creek. The consequence is that the average shape, level and flow direction of the fresh water lens that supplies private-well drinking water would be unaffected by the restoration. This is consistent with published research carried out as closely as the mouth of Herring River in Wellfleet (Portnoy & Martin, 2007).

12a. The drinking water service at Harborside Village Cooperative Cooperation (HVCC) has deserved special attention. It is a public water supply, serving 85 families. The well head is located about 275 feet from a maximum projected high tide and 750 feet from low tide, in the creek bed. Groundwater flow would tend to carry any marsh salinity away from the well head.

Given the importance of a public water supply, we took the added initiative to meet privately with the HVCC technical representative and two external hydrology consultants (Cape Cod Commission and Horsley Witten Group) to discuss specific concerns at HVCC. One outcome of this meeting was a suggestion for a “pump test” if required to further clarify the risks. An outline of the test protocol has been completed. A key requirement for any future work is to define the analysis of pump-test results to minimize ambiguity, perhaps including some modeling (see Masterson, 2004 as a modelling example) . These principles could apply, of course, to any abutting well where there might be concerns.

Sediments

13. Sediment flow as part of any restoration is a concern, especially to shellfishermen and especially if the net flow is seaward onto downstream shellfish beds. However, hydrodynamic modeling of the system under tide-restored conditions has shown that flooding tides will run faster than ebbing tides. As a result, the net transport of sediment will be upstream, not downstream. The question of whether restored tidal ebb velocities would disturb the existing “black mayonnaise” in the north channel of the marina needs to be further evaluated. If Mayo Creek tidal restoration were to follow dredging of the north channel, any risk would be greatly reduced.

Note that sediments currently in the Mayo Creek channel above Commercial Street will be dredged as part of the tide-restoration project, primarily to limit the mean tide height and protect subsurface septic components. Another environmental benefit derived from the upstream transport of sediment is that this added material will over the long term help the wetland recover after 100 years of drainage and subsidence.

Storms

14. There is a better concern about storm surge protection, both to avoid flooding and to drain the marsh as rapidly as possible after a storm. Therefore, any implementation plan should include Town responsibilities for tidal gate management during storms.

Wildlife in the Mayo Creek Basin

15. Tidal restoration of Mayo Creek is supported by the Cape Cod Mosquito Control Project because of expected improvements in tidal flushing and reductions in breeding habitat (letter of 20 August 2014).
16. The Massachusetts Division of Fisheries and Wildlife has determined that there are no endangered species that would be affected by restoration in Mayo Creek (letter of June 2 2008). It is likely that tidal restoration here would in fact increase habitat for the State-threatened Diamondback Terrapin, as well as a multitude of more common native fish and wildlife.

Table 1. Critical elevations for tidal restoration at Mayo Creek, Wellfleet MA.

Tides and groundwater

- Commercial St. culvert downstream invert elevation is -4.73 ft.
- Commercial St. upstream invert (inner pipe) is -3.59 ft.
- Under existing conditions, tides range from **-2.56 (MLW) to -0.84 (MHW)** with Mean Tide Level of **-1.70 ft** and **range of 1.72 ft**.
- With duckbill removed, tides range from **-0.30 (MLW) to 0.98 (MHW)** with a MTL of **0.34 ft** and range of 1.28 ft (WHG 2011).
- Thus, duckbill removal increases mean tide level by **2.04 ft**.
- With a 6X7-ft combination sluice/flap gate and creek excavation tides range **-4.58 to 1.21 ft**, with a mean tide level of **-1.68**.
- During 29 May to 10 June HOB0 deployment:
 - Creek tides ranged from **-3.6 to -1.8 ft**.
 - Groundwater behind Baker's Field ranged from **0.4 to 0.94 ft**.
 - Thus, creek water levels were always at least 2.2 ft below groundwater level.
 - Thus, water table at Baker's Field affected by Harbor and not Mayo Creek.

Land surface elevations

- Land surface of developed fill is at elevation **2-4 ft**.
- However, the yard at observation well behind house at Map parcel 20:1 is at **1.32 ft**. (Outermost Land Survey survey of Nov 2015). This is the lowest point of structure along the old marsh.
- Driveway at Map 20:138 ; (Outermost Land Survey survey) 4.2-4.7 ft
- Yard at Map 21:105; (Outermost Land Survey survey) 2.1-2.5 ft

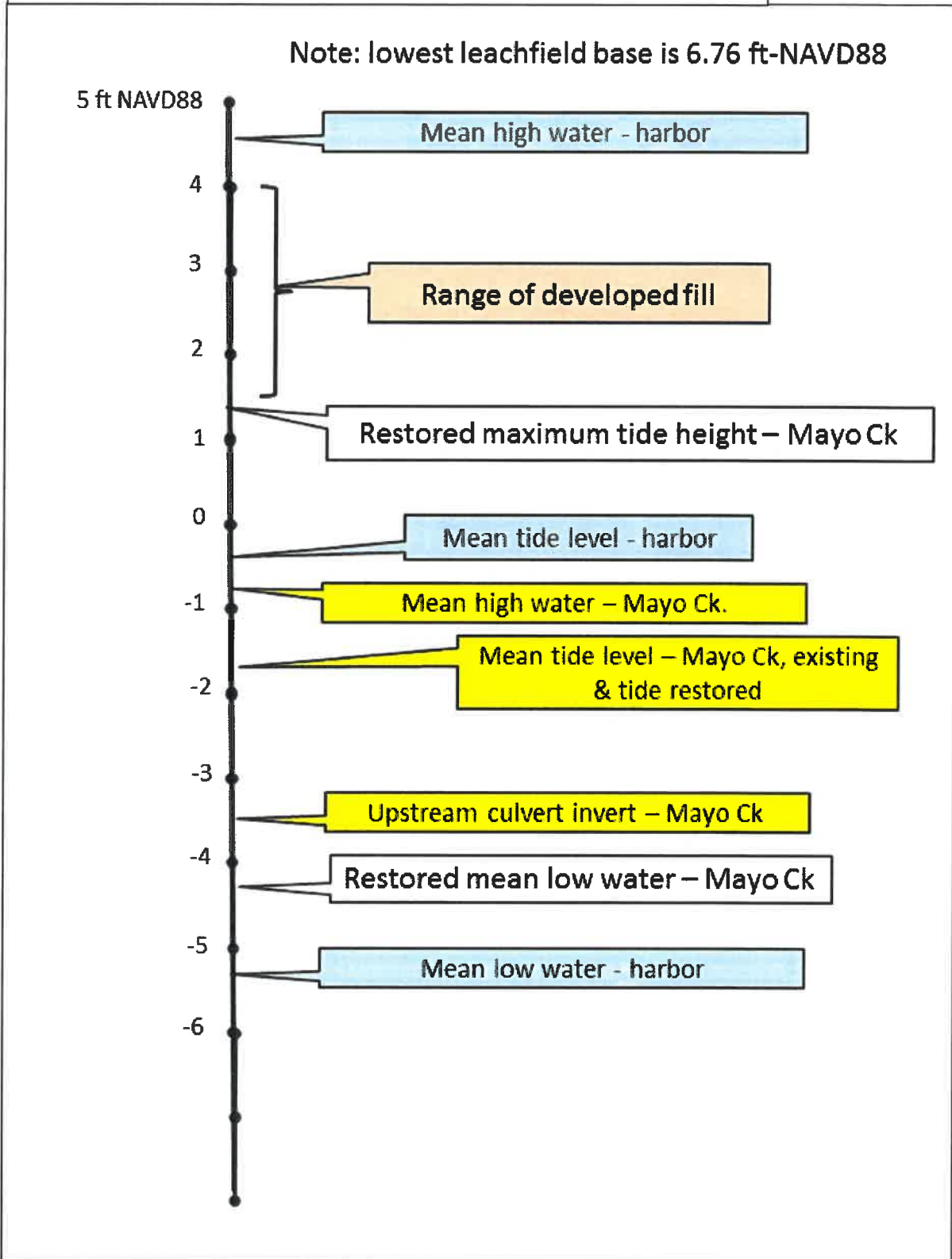
Hydrogeology and wells

- All private well heads are above 3 ft.
- All private wells are screened in a confined aquifer below layers of clay.
- MCRC Observation well MC6 at HVCC casing elevation = 4.95 ft-NAVD88

Wastewater disposal systems

- The HVCC wastewater system is ~420 ft from Mayo Creek wetland border with bottom of leachfield 7 ft above the maximum water table (HVCC supplied data).
- Wellfleet Marine leach chamber bottom is at **6.76 ft-NAVD88**. (Board of Health data).
- High water table at Wellfleet Marine is at **2.8 ft-NAVD88** (Board of Health data).
- During May-June 2015, water table at Map 21:105 was **1.5 ft-NAVD88** (MCRC report).

Figure 3. Comparison of water levels in and adjacent to Mayo Creek.



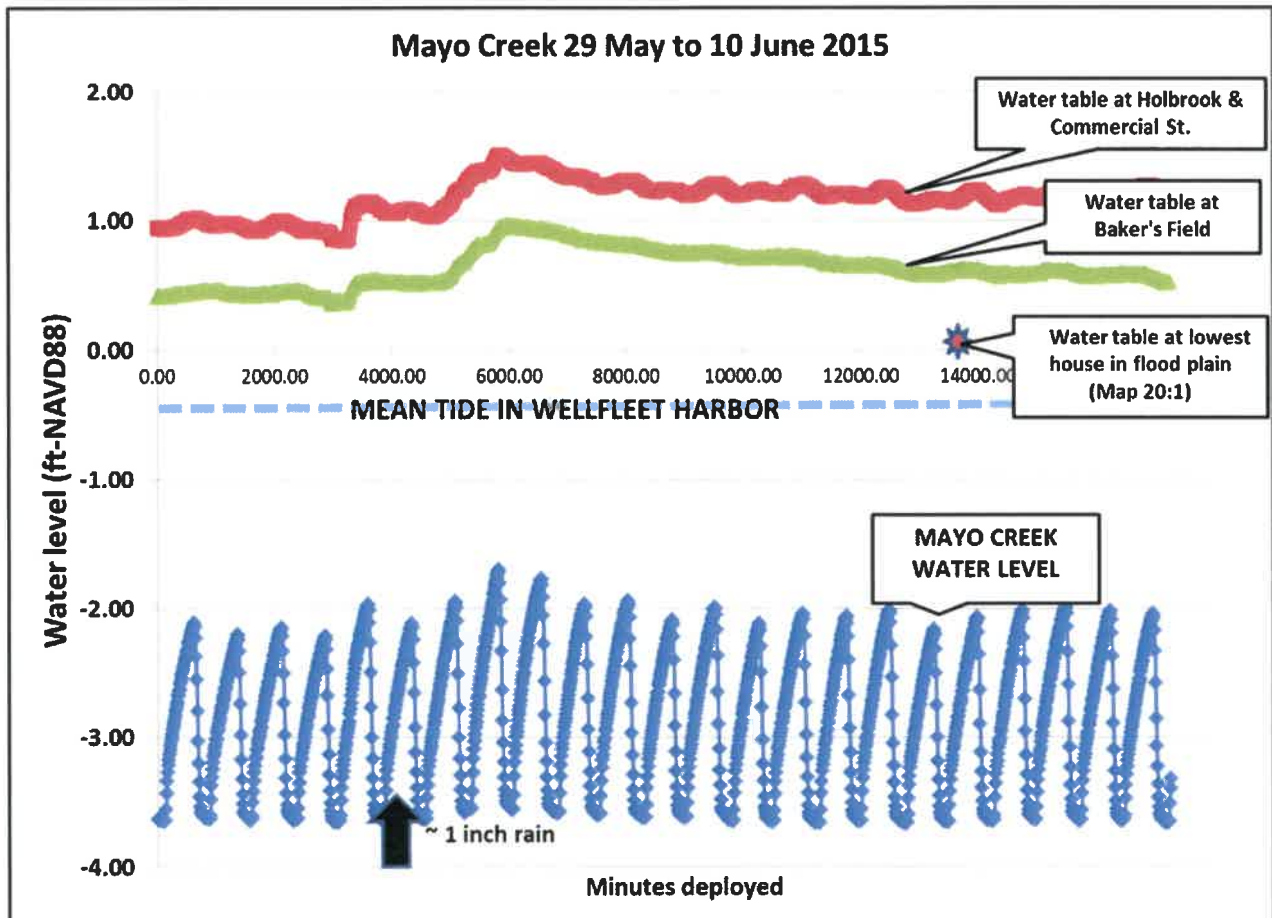


Figure 4. Water level monitoring in 2015 showed that the water table in developed fill at Mayo Creek is controlled by the mean tide level in Wellfleet Harbor, and not by water levels in Mayo Creek. This condition will continue after proposed tidal restoration because the latter will not increase the mean water level in the creek.

An evaluation of tidal-restoration alternatives

For all of the reasons described above, the Committee concludes that no action, i.e. continued diking of Mayo Creek, is contrary to shared public interests and will allow adverse effects, including poor water quality, shoaled channels, lost fish, shellfish and wildlife habitat, reduced storm-surge protection, to worsen over time. Therefore, alternatives for tidal restoration, given environmental objectives and social constraints, were investigated.

The Committee determined the following through hydrodynamic modeling by Woods Hole Group (2011, 2016). Importantly, scenarios were run for both standard and storm tides.

1. Simple removal of the existing one-way duckbill valve is not recommended. Modeling showed that if the valve were removed, allowing unrestricted flow through the existing 2-ft-diameter culvert, high tide levels would increase, but so would low tide levels, because the small culvert greatly impedes drainage during ebb tides. This alternative would fail to attain salt-marsh restoration goals, because it would limit tidal range, promote waterlogging, and reduce flushing.

Importantly, simple duckbill removal would also have raised the mean tide level, in turn raising the shoreline groundwater table and possibly degrading nearby septic system function. (WHG 2011).

2. Despite the severe limits that past development has placed on the Town's options for tidal restoration:

Replacement of the Commercial Street culvert with an enlarged culvert (e.g. 6 X 7 ft) with active control (adjustable gates, **Figure 5**), along with excavation of the upstream creek channel, can yield 20 acres of estuarine habitat restoration and over five feet of tidal range (as opposed to the existing 1.7 ft). Importantly, increased tidal range is achieved by two-foot higher high tides along with two-foot lower low tides (WHG 2016). These tidal ranges keep the important mean tide level in the creek, and the shoreline water table, unchanged.

The principles of "adaptive management" should be used throughout the process. Tidal restoration should be incremental, using an adjustable culvert gate (WHG 2016), and ecosystem response carefully monitored with emphasis on tide heights and groundwater and surface water quality.

In order to control the extent of restored tidal reach during the restoration, appropriate detailed surveying and engineering design of the tidal gates will be needed to ensure adequate control during all phases of the restoration. This conservative approach will mean that the final restored

marsh acreage may be less than the 20-acre theoretical maximum. (It will also likely result in a belt of *Phragmites* remaining along the marsh-upland edge, providing continued privacy to abutters.)

The Committee believes that 20 acres of estuarine restoration can be accomplished without harm to adjacent development including the lowest-lying structures and yards, wastewater systems and supply wells. This alternative should also improve freshwater drainage during low tides, especially after heavy rain and in the event of an overwash of the Mayo barrier beach (WHG 2011, 2016).

A very preliminary cost range for the large and adjustable culvert is \$2-4 million (N.Wiberg, Fuss & O’Neil, personal communication).

Figure 5. Example of an adjustable tide gate (Golden Harvest GH-50) that would meet Mayo Creek tidal-restoration and infrastructure-protection objectives, based on hydrodynamic modeling (Woods Hole Group 2016). Such a design would allow the Town complete control of the opening to ensure that water levels meet social and environmental



Committee recommendations for future actions

Some 20 acres of salt-marsh restoration in Mayo Creek is feasible without harming adjacent development and furthers public interests associated with estuarine habitat and water quality.

Should the Selectboard accept these conclusions, we further recommend that the Town identify resources to oversee restoration planning, analogous in goals to the Herring River Restoration Committee. Restoration of Mayo Creek would need to work closely with Town wastewater projects, such as currently being developed by the CWWPC.

We note that many of the issues raised in considering Mayo Creek restoration are shared with the much larger Herring River restoration project. That project is now much advanced. Learnings as that project is implemented will be of great use to the Mayo Creek project.

Mayo Creek Restoration Committee

The charter of the Mayo Creek Restoration Committee is:

An ad hoc Mayo Creek Restoration Committee is established for the following purposes:

- To identify the benefits and drawbacks to the Town resulting from the restoration of the Mayo Creek salt marshes;
- To plan, permit and execute necessary tests and verifications in support of restoration planning;
- To engage with the public and abutters to address benefits and concerns;
- To prepare and submit a restoration plan for Board of Selectmen approval ; and
- To fund the restoration planning without use of Town fun

The MCRC membership believes we have achieved the goals of our charter and recommend that the Selectboard formally retire the committee.

Respectfully submitted:

Walter Baron, Marina Advisory Committee

John Portnoy, Conservation Committee

Jake Puffer, Shellfish Advisory Board

John Riehl (Chairperson) , Natural Resources Advisory Board

Pat Winslow, Comprehensive Wastewater Planning Committee

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Wellfleet Comprehensive Wastewater Planning Committee; see also Cape Cod Commission 208 Plan Technology Matrix

Woods Hole Group. 2011. Final Mayo Creek Salt Marsh Restoration Feasibility Study and Hydrodynamic Modeling.

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NOTE: A complete file of documents and reports underlying this report will be made available on-line through the Town Clerk's office.

Acknowledgements.

We thank Coastal America and the MassBays program for financial support. Assistance and support from Town staff, committees and the Association to Preserve Cape Cod (APCC) has also been invaluable.

The work of the MCRC has received support from the Marina Advisory Committee and the Shellfish Advisory Board. We have also profited greatly from the work of the Comprehensive Wastewater Planning Committee.



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019



BUSINESS – B

REQUESTED BY:	Bacon / Bike and Walkways Committee
DESIRED ACTION:	Discussion of June 13th DCR Presentation and Letter in Response to Article 44
PROPOSED MOTION:	I move to accept the letter written by the Bike and Walkways Committee and authorize the Selectboard to sign it.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

Dear Selectboard members,

The Bike and Walkways Committee is following up on Article 44 from the recent Annual Town Meeting which asked the Selectboard, Conservation Committee and Planning Board to state their objections to the bike trail extension beyond Old County Road that is being pursued by the State Department of Conservation and Recreation (DCR) on behalf of the citizens of Wellfleet. The Bike and Walkways Committee is very concerned about the safety of this proposal and we believe that a safer, more beautiful alternate exists.

Recent emails and a land acquisition inquiry from the DCR demonstrate that they have not listened to the fervent requests of residents, the Bike and Walkways Committee, and local business owners whose businesses lie in the "danger zone" along Route 6 from Oriole Lane to Cahoon Hollow Road. We are asking for your support by sending the attached letter, or something closely related, to *Paul Jahnige*, Director of DCR Greenways and Trails Program, *Leo Roy*, DCR Commissioner, *Secretary Kathleen A. Theoharides*, Executive Office of Energy and Environmental Affairs, *Sarah Peake*, *Julian Cyr*, and *Governor Baker*. We will also contact the Conservation Committee and the Planning Board with the same draft. We stand ready to provide further information in this urgent matter.

Respectfully,

The Bike and Walkways Committee

May 8, 2019



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
Tel (508) 349-0300 Fax (508) 349-0305
www.wellfleetma.org

On April 23, 2019 at the Annual Town Meeting, citizens of Wellfleet voted almost unanimously in favor of Article 44 to “request that the Board of Selectmen, the Conservation Commission and the Planning Board consider alternate routes for the Bike Trail Extension and to ask the appropriate agencies to halt any planning or construction of the bike trail extension beyond Old County Road until those deliberations have occurred.” This letter is our request.

We understand that the state has a goal of completing a continuous bike path through the Outer Cape. However, we do not support the DCR’s current plan. There is a renewed focus in Wellfleet to establish a safer, more attractive route. Therefore, we, the Selectboard, formally request the DCR to **HALT CONSTRUCTION AND PLANNING OF THE BIKE TRAIL EXTENSION BEYOND OLD COUNTY ROAD** and give the Town of Wellfleet a voice so we can protect the safety of our citizens and our visitors.

Sincerely,

WELLFLEET SELECTBOARD

Janet Reinhart, Chair

Kathleen Bacon, Vice Chair

Michael DeVasto, Clerk

Justina Carlson

Helen Miranda Wilson



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

V

BUSINESS – C

REQUESTED BY:	Town Administrator
DESIRED ACTION:	New Selectboard Policy – Local Access Television
PROPOSED MOTION:	I move that the Board vote that the policy recommended by the Cable Advisory Committee is worthy of formulation as a policy according to the Selectboard's Policy and Policy and that the Town Administrator be directed to send it to department heads and other appropriate members of Town government for review and comment.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

Wellfleet Channel 18: Policy and Usage Guidelines

- I. **POLICY** - The Wellfleet Government Access Cable Television Channel (hereafter “Channel 18”) is intended solely to provide information to Wellfleet citizens about issues, services, programs, activities, and events involving or affecting local government and the community.

- II. **CONTENT** - All public meetings of all Town policy-making and regulatory boards and commissions, including Annual and Special Town Meetings, will be recorded for television broadcast and/or digital streaming in their entirety, without editing or commentary (with the sole exception of editing out technical pauses which may occur to rearrange chairs or equipment).
 - A. The current list of Town policy-making and regulatory boards is as follows: Selectboard, Conservation Commission, Board of Health, Local Comprehensive Planning Committee, Planning Board, Board of Water Commissioners, Wellfleet Elementary School Committee, and Zoning Board of Appeals. This list may be modified in the future at the discretion of the Town Administrator and Selectboard.

 - B. Additional boards and commissions may be recorded at the discretion of the Town Administrator, the Selectboard, and the Channel 18 Operations Manager. Additional content, including but not limited to: public service announcements, emergency messages, informational interviews, Town training videos, recordings of Town school events, and recordings of Town recreation events, may be produced for broadcast and/or streaming at the discretion of the Town Administrator and the Operations Manager.

 - C. All content must meet approval of technical broadcast standards at the discretion of the Operations Manager.

 - D. Political forums and debates may be recorded for broadcast and/or streaming, but Channel 18 may not be used for the promotion of individual political campaigns. All commercial advertising and religious promotion is prohibited.

 - E. Programming and streaming schedules will be at the discretion of the Operations Manager and preference may not be awarded based on financial compensation.

- F. Any outside agency or citizen submitting programming for broadcast and/or streaming is responsible for obtaining all necessary copyright clearances and will hold the Town and its successors, departments, officers, employees, servants, attorneys, and agents harmless in any case of copyright infringement.
- III. ACCURACY - The accuracy of all information in Channel 18 broadcast and/ or streaming content is the responsibility of the board, commission, or entity being recorded. Statements made may not reflect the views of Channel 18 or other Town staff. Channel 18 staff are not responsible for the accuracy or quality of information recorded.
- IV. ACCESS - All members of the public will have equal access to Channel 18 content. Channel 18 will broadcast continuously except in the case of technical malfunction. DVD copies of Channel 18 programming will be made available upon request to the Operations Manager. Streaming content can be viewed on personal computers, mobile devices, or Town computers at the Wellfleet Public Library.
- V. EQUIPMENT USAGE - Channel 18 equipment will be used for the production of Channel 18 content and may not be loaned to the public. Channel 18 equipment may be used by the Operations Manager and approved Production Technicians to produce programming for other Town entities and departments (including but not limited to: the Public Library, the Council on Aging, and local community organizations without political or religious affiliation) at the discretion and approval of the Operations Manager and Town Administrator.
- VI. STAFFING - The Operations Manager is the director of all Channel 18 business and will report to the Town Administrator and Selectboard as required. The Operations Manager will hire and manage Production Technicians. The work of all Production Technicians must meet technical broadcast standards and the approval of the Operations Manager. Production Technicians may not make any technical, political, financial, or managerial decisions for Channel 18 without explicit instruction from the Operations Manager.



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

V

BUSINESS – D

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Approval and Signature of Herring River MOU IV
PROPOSED MOTION:	I move to adopt the Memorandum of Understanding IV between the National Park Service and the Town of Wellfleet in regard to the Herring River Restoration Project as presented
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

MEMORANDUM OF UNDERSTANDING IV BETWEEN
THE NATIONAL PARK SERVICE AND THE TOWN OF WELLFLEET
Herring River Restoration Project
June __, 2019

This fourth successive Memorandum of Understanding (“MOU IV” or the “Agreement”) is entered into by and between the NATIONAL PARK SERVICE (“NPS”), a bureau of the United States Department of Interior, acting through the Superintendent of the Cape Cod National Seashore (“CCNS”), and the TOWN OF WELLFLEET, MASSACHUSETTS, a municipal corporation, with its primary address of 300 Main Street, Wellfleet, Massachusetts, 02667 (the “Town” or “Wellfleet”), acting through its Selectboard, on this ____ day of June, 2019.

RECITALS

WHEREAS, the Herring River is a tidal river located in Wellfleet, Massachusetts that, through a large tidal estuary system and floodplain, connects to the Cape Cod Bay;

WHEREAS, the Herring River estuary includes lands and waters in Wellfleet, the Town of Truro (“Truro”), and the CCNS;

WHEREAS, the NPS administers and manages the CCNS, located partially within the Wellfleet and Truro and including the Herring River floodplain; and CCNS, as a unit of the National Park System, is legally authorized by 54 U.S.C. §§ 100101 *et seq.* and 16 U.S.C. § 459b-6 to regulate and conserve CCNS lands by entering into this Agreement to facilitate the restoration of tidal flow to the Herring River estuary;

WHEREAS, Wellfleet owns the Chequessett Neck Road (“CNR”) Dike, which currently controls tidal flow to the Herring River system, and the CNR Dike has included since, approximately 1909, tidal gates that artificially restrict tidal flow in and out of the Herring River;

WHEREAS, the artificial restriction of tidal flow has impaired the waters of the Herring River and the proper functioning of the tidal estuary system, including tidal wetland habitat and salt marsh;

WHEREAS, to prevent ongoing degradation of the Herring River estuary, reclaim its ecological and environmental benefits, and replace a 40-year old waterfront structure with resilient infrastructure, Wellfleet and CCNS wish to remove the existing CNR Dike and tide gates at the CNR Dike and replace them with a bridge with tide gates that can restore the natural tidal flow over time, and to take other appropriate steps to rebuild infrastructure and provide mitigation as necessary to facilitate this goal (the “Herring River Restoration Project” or the “Project”);

WHEREAS, through three previous Memoranda of Understanding (“MOUs”), Wellfleet, Truro, and CCNS have worked together, as well as with National Oceanic and Atmospheric Administration’s Restoration Center, the U.S. Fish and Wildlife Service, the U.S. Department of

Agriculture’s Natural Resources Conservation Service, and the Massachusetts Division of Ecological Restoration (collectively, the “Project Partner Agencies”) towards planning the Project;

WHEREAS, on December 18, 2018, the Truro Board of Selectmen voted to cease its role in the Project’s planning and to not participate in the future design and implementation of the Project as a proponent, permit applicant, or party to contracts, and to instead take on the role of interested municipal stakeholder; and

WHEREAS, following the Truro Board of Selectmen’s vote, Wellfleet and CCNS agree that it is in the public interest to enter into this MOU IV to restate and reaffirm their efforts towards Project planning, engineering, funding, construction, implementation and operation, to clarify governance and decision making responsibilities concerning the Project, and to supersede existing MOUs concerning the Project.

WHEREAS, the following is a list of acronyms used herein:

ADR: Alternative Dispute Resolution
CCNS: Cape Cod National Seashore
CNR: Chequessett Neck Road
HREC: Herring River Executive Council
HRSG: Herring River Stakeholder Group
HRTT: Herring River Technical Team
MEPA: Massachusetts Environmental Policy Act
MOU: Memorandum of Understanding
NPS: National Park Service

AGREEMENT

NOW THEREFORE, in consideration of the foregoing, Wellfleet and CCNS (collectively, the “Parties”) agree as follows:

1. Superseded MOU. This Agreement supersedes the three existing MOUs concerning the Project: MOU I (August 2005), MOU II (November 2007), and MOU III (2016), as those MOUs are amended. Notwithstanding the foregoing, this MOU IV does not supersede, disturb, or invalidate declarations of Project support expressed in earlier agreements, prior MOUs, and in Truro’s December 18, 2018 vote. Rather, in light of Truro’s December 2018 vote to exit from MOU II and MOU III (to which Truro was a party), this MOU IV updates the status of the Project, identifies next steps, and clarifies governance structures going forward. Nothing in this MOU IV is intended to alter the validity of terms established, affirmations given, or decisions made under previous MOUs, but instead to build on those decisions as the Project moves forward. All Project activities and decisions hereafter shall be undertaken by Wellfleet and CCNS, consistent with this MOU IV, and shall no longer include Truro, unless as an interested municipal stakeholder.

2. Project Status. To date, the Parties, in concert with the Project Partner Agencies, have performed several significant actions in support of the Project, including but not limited to the following:
 - a. Developing Conceptual and Detailed Restoration Plans for the Project;
 - b. Undertaking comprehensive data collection, modeling and ecological assessments necessary to establish and characterize pre- and post-restoration conditions;
 - c. Completing review under the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.* and the Massachusetts Environmental Policy Act (“MEPA”), M.G.L. Chapter 30, §§ 61-62I in July 2016;
 - d. Developing conceptual and detailed plans for Project-related construction and mitigation;
 - e. Obtaining in March 2019 a Scoping Decision from the Cape Cod Commission concerning Development of Regional Impact Review;
 - f. Conducting numerous Project-related meetings and public outreach with Project abutters and the community; and
 - g. Developing, as needed, mitigation plans to protect all public and private structures from any potential adverse effects related to the restoration of tidal flow.

3. Next Steps and Approach. To complete and operate the Project, the Parties agree that they will work together cooperatively, and in concert with Project Partner Agencies, to take the following steps, subject to the terms of this Agreement:
 - a. Make all significant decisions concerning Project development, implementation, and operation;
 - b. Compete for, receive, and administer funding from appropriate federal, state, local, and private entities to perform the Project and related mitigation, and to take the next steps identified in this Agreement;
 - c. Develop in further detail policies and plans for governance of Project construction and Project operation;
 - d. Further refine and review the Project’s Adaptive Management Plan, and implement that Adaptive Management Plan seeking the technical advice of Project Partner Agencies through the Herring River Technical Team (“HRTT”);
 - e. Facilitate agreements with landowners that the Project may potentially affect;
 - f. Draft, review, and submit all Project permits to appropriate federal, state, and local entities;

- g. Ensure compliance with all permit conditions, noticing requirements, and other environmental compliance obligations;
- h. Prepare and advertise bid solicitation packages, manage and oversee competitive bidding processes, select and manage contractors, oversee construction activities, pay invoices, and comply with funder and contractor stipulations subject to the provisions of M.G.L. Chapters 30, 30B and 149, if applicable;
- i. Provide and manage professional level technical and administrative staff necessary for the completion of all Project elements;
- j. Conduct operations and maintenance of public infrastructure as stipulated in any contract agreement(s);
- k. Monitor Project progress; and
- l. Perform public outreach and education activities.

These actions may be undertaken by one or many of the Parties or Project Partner Agencies, or their designees. These actions may be accomplished through separate contracts for services or cooperative agreements, or through the services of an independent third-party organization including, but not limited to, Friends of Herring River. Recognizing, however, that each Party shall undertake contracting responsibilities pursuant to their individual obligations and requirements and neither intends to assign or delegate such authority by this Agreement to any entity described or established herein or otherwise. Additionally, any activities on federally owned property conducted by other than federal employees will require a separate agreement, license, or contract so authorizing.

- 4. Ownership of Project Infrastructure. Implementation of the Project may require development of new infrastructure and modification of existing infrastructure. The owners¹ of existing infrastructure shall continue to own any modifications, replacements or improvements to it, and the owners of the underlying land shall own any new components of Project infrastructure (as described in Project planning and permitting documents) as follows:
 - a. *CNR Water Control Structures:* Wellfleet shall continue to own any improved or new CNR water control structures;
 - b. *Pole Dike Road:* Wellfleet shall continue to own Pole Dike Road and any modifications or improvements to it;
 - c. *Pole Dike Water Control Structures:* If a water control structure(s) is installed at Pole Dike Road, Wellfleet shall own that structure(s);

¹ The ownership described throughout this Section is not intended to affirm a particular legal status and, with respect to roads, no distinction has been made between ownership of an underlying fee versus ownership of a right of way interest.

- d. *Old County Road/Culverts*: Wellfleet shall continue to own Old County Road and its culverts, except those that are located in Truro, and any modifications or improvements to them;
- e. *Bound Brook Road/Culverts*: Wellfleet shall continue to own Bound Brook Road and its culverts and any modifications or improvements;
- f. *High Toss Road*: High Toss Road and related improvements or modifications shall continue in its present ownership and maintenance status; and
- g. *Mill Creek Water Control Structures*: If a water control structure(s) is installed at Mill Creek, the NPS shall own the new structure(s).

Notwithstanding the foregoing, this provision is not intended to and does not purport to allow or provide for a *change* in land or property ownership as a result of modification of existing infrastructure.² The Parties agree that they may revisit the proposed ownership structure set forth in this Section 4 as the Project is developed, permitted, and implemented.

- 5. Operation of Project Infrastructure. The owners (Wellfleet or CCNS) of the different elements of Project infrastructure set forth in Section 4 may wish to engage the services of third-party entities to construct, operate and maintain Project infrastructure, or the owners may wish to perform these functions through their established governmental structures. The Project will consult with Truro to determine the preferred method to perform any Project-related work affecting public infrastructure in Truro. Long-term operation and maintenance responsibilities should be the responsibility of the owner of each element of Project infrastructure. The Parties agree that they may revisit the proposed operation structure set forth in this Section 5 as the Project is developed, permitted, and implemented.
- 6. Project Governance.
 - a. Herring River Executive Council.
 - i. Purpose and Responsibilities. The Herring River Executive Council (“HREC”) shall function as the executive group that approves all major Project decisions and activities. The HREC’s responsibilities include, but are not limited to, establishing and providing policy direction; reviewing and approving the Project’s Adaptive Management Plan; monitoring Project progress; modifying or altering Project infrastructure water control structure openings (after receiving advice and recommendations from the technical staff, including those of the Project Partner Agencies, through

² For example, if an existing road must be modified and expanded beyond the boundaries of the existing right of way in order to implement the project, such expansion and modification does not result, by operation of this provision, in the owner of the right of way acquiring ownership of the expanded area. Neither Party can, through this Agreement, nor does hereby release its rights or interests in its existing real and personal property.

the HRTT); and ensuring compliance with laws, policies and regulations of Wellfleet and CCNS.

ii. Membership and Decision-making. The HREC shall meet as it may deem necessary or appropriate and shall consist of five members as follows:

- a) The Wellfleet Town Administrator and two members of the Wellfleet Selectboard, or alternatively, up to three designee(s) appointed by the Selectboard;
- b) The Superintendent of the CCNS or his/her designee, and one additional CCNS designee.

The HREC shall by-and-large operate by a consensus decision-making process or from time-to-time by taking a vote. A quorum of three members may make decisions if HREC wishes. Members of the HREC may, in their discretion, make a motion during a meeting for a vote on a particular topic or decision to be taken, at which point the HREC members will vote whether to take a vote. Voted decisions are effective only through unanimous vote of the members present, provided that such unanimous vote includes at least one vote by a member or designee of each Party.

The Parties shall seek Project Partner Agency input as to how and to what extent they wish to coordinate efforts and provide advice regarding Project decisions. The HREC may seek technical guidance and assistance from the expert technical personnel of the Parties and Project Partner Agencies individually as members of the HRTT.

Individual HREC members shall not possess any authority to set goals, priorities, or positions on behalf of the HREC.

The Parties recognize that decisions made by HREC may require or warrant further votes, approvals, reviews, or appropriations from Wellfleet and/or NPS in order to effectuate HREC decisions, and that neither Party is obligated to implement or move forward with any HREC decision that is inconsistent with or has not received such required or warranted further votes, approvals, reviews or appropriations.

The Parties further recognize that in emergency situations or unforeseen circumstances, Wellfleet and CCNS may each make emergency decisions regarding Project infrastructure as provided for in their applicable laws and authorities concerning Project elements or property owned by each governmental entity.

iii. Term. Each representative on the HREC shall serve until their designating entity notifies the HREC of a change in designation.

- iv. Public Meetings. The HREC shall conduct its meetings consistent with the Massachusetts Open Meeting Law, M.G.L. Chapter 30A, §§ 18-25.

7. Technical Advice and Input.

a. Herring River Technical Team.

- i. Purpose and Responsibilities. The Herring River Technical Team (“HRTT”) shall function as an informal, sounding board composed of intergovernmental technical staff to provide technical input for Project-related decisions as necessary or appropriate. These opportunities for input include, but are not limited to planning, permitting, engineering, technical, operational and scientific coordination for the Project. The HRTT will coordinate with the Regulatory Oversight Group (which was established through Project’s July 15, 2016 MEPA Certificate) consistent with the provisions of that MEPA Certificate.
- ii. Membership and Decision-making. The HRTT shall have no set number of members, it meets as needed or desired, and may consist of staff members from the following federal, state, and local governmental entities: Wellfleet, CCNS, the National Oceanic and Atmospheric Administration, the U.S. Fish and Wildlife Service, the Massachusetts Division of Ecological Restoration, the U.S. Natural Resources Conservation Service, and other entities with appropriate technical knowledge to assist the Project. Participating staff members shall be designated at the sole discretion of any participating agency.

The HRTT shall have no quorum requirement and is not a tribunal making governmental decisions. The HRTT does not possess any authority to make decisions that bind the Project, Wellfleet, the CCNS, or the Project Partner Agencies; is not empowered by any Party to act collectively; and does not have any power to take actions for the Project. The Parties disclaim any intention to create in the HRTT a public body for purposes of the Massachusetts Open Meeting Law or the federal or Massachusetts Public Records Act.

8. Consultation with Stakeholder Groups and Others. In accordance with the MEPA Certificate, the HREC has formed a Herring River Stakeholder Group (“HRSG”) to provide advisory input on Project implementation issues. The HREC may consult the HRSG or other individuals or organizations for advisory input, as needed, to develop, permit, and administer the Project.

9. Governmental Provisions.

- a. Governmental Authority. As used in this Agreement, the “Town” or “Wellfleet” shall mean the Town of Wellfleet as a municipal corporation, including its Selectboard members, employees, agents, and consultants. “CCNS” shall mean the Cape Cod National Seashore, including its employees, agents, and consultants.

Project Partner Agencies, other governmental entities, non-profit groups affiliated with the Project and their employees, agents, and consultants shall not be deemed to represent Wellfleet or CCNS, and Wellfleet and CCNS make no representations or warranties that they possess any authority to bind such entities to any of the obligations set forth in this Agreement.

Nothing in this Agreement shall be construed as (i) in any way impairing the authority of the NPS or Wellfleet to supervise, regulate, and administer its respective property and concerns under applicable laws, regulations, and management plans or policies as they may be modified from time-to-time, or (ii) inconsistent with or contrary to the purpose or intent of any Act of Congress.

- b. Finance and Approvals. No terms in this Agreement shall be construed to obligate either party or the United States of America to: (i) take any actions or approve any actions that would violate the requirements of federal, state, or local laws; (ii) approve any permit or approval applications submitted to federal or Town departments or boards in furtherance of the Project; (iii) commit any current or future funding or staffing resources to fulfill the obligations of this Agreement in advance of appropriate appropriation, administrative allocation, approval and/or vote; or (iv) spend any funds on any particular project or purpose, even if funds are available.
- c. Costs of Participation. Each party shall bear its own costs associated with its participation in this MOU IV and Project-related activities without reimbursement, and nothing contained herein shall be interpreted as obliging any payment by one party to the other, unless specifically authorized through appropriate procedures of Wellfleet or the CCNS.
- d. Disclaimers of Government Endorsement. Neither Wellfleet, nor any other Project Partner, shall publicize or circulate materials (such as advertisements, solicitations, brochures, press releases, speeches, pictures, movies, articles, manuscripts, or other publications), suggesting, expressly or implicitly, that the United States of America, the Department, NPS, CCNS or any government employee endorses any business, brands, goods, services, or activities, without the express approval of the NPS. In addition, any non-Federal entity must obtain prior written approval for any public information releases that refer to the Department of Interior, any bureau, park unit, or employee (by name or title), or to this Agreement. The specific text, layout, photographs, etc., of the proposed release must be submitted with the request for approval. The NPS will make a good-faith effort to expeditiously respond to such requests.
- e. Intellectual Property. Neither party of this Agreement shall use any intellectual property (including, without limitation, trademarks, service marks, logos, and corporate and brand identification and indicia) of the other party for any purpose without the prior written consent of the other party, which consent may be withheld in such other party's sole discretion.

- f. Compliance with Law. The obligations of the Wellfleet and CCNS under this MOU IV are subject to all current and future laws, regulations, and policies governing each governmental entity.
 - g. Federal Congressional Provisions.
 - i. Pursuant to 41 U.S.C. § 22, no Member of, Delegate to, or Resident Commissioner in, Congress shall be admitted to any share or part of any contract or agreement made, entered into, or adopted by or on behalf of the United States, or to any benefit to arise therefrom, unless the share or part or benefit is for the general benefit of a corporation or company.
 - ii. In carrying out, supporting, or pursuing actions under this Agreement, Wellfleet will not undertake activities, including lobbying for proposed Town or NPS projects or programs, that seek to either (1) alter the appropriation of funds included in the President's budget request to Congress for the Department of the Interior or another federal agency that holds funds for the sole benefit of the NPS under Congressionally authorized programs, including the Federal Lands Highway Program; or (2) alter the allocation of such appropriated funds by NPS or another Federal agency. Nothing in this paragraph is intended to preclude Wellfleet or another Project Partner from applying for and obtaining a competitive or non-competitive grant of Federal financial assistance from a Federal agency, or from undertaking otherwise lawful activities with respect to any Town or NPS activity, project or program included in the President's budget request to Congress. Nothing in this paragraph should be construed as NPS requesting, authorizing or supporting advocacy by nonfederal entities before Congress or any other government official. Except as provided herein and in applicable laws, nothing in this paragraph shall be construed to curtail Wellfleet's ability to interact with elected officials.
10. Dispute Resolution. If Wellfleet and CCNS do not agree regarding any aspect of the Project, Wellfleet and CCNS shall work cooperatively to resolve any disagreement, including but not limited to use of alternative dispute resolution ("ADR"), should they so agree.
11. Termination. Either party may terminate this Agreement at any time by providing ninety (90) days written notification consistent with the Notice provisions of Section 12.d. below.
12. Miscellaneous Provisions.
- a. Amendments. This Agreement may be amended only by written agreement signed by authorized representatives of both Parties. It shall remain in effect until superseded by a further MOU or inter-governmental agreement(s) to implement its purposes or terminated by either party as described above.

- b. Merger. This Agreement constitutes the Parties' entire agreement and understanding with respect to its subject matter, except as otherwise noted in Section 1.
- c. No Third-Party Beneficiaries. The Parties are the sole and exclusive beneficiaries of the Agreement, subject to its terms and to all applicable law.
- d. Notices. All notices to be given pursuant to this Agreement shall be provided by email or U.S. mail. Notice shall be deemed to have been received at the time of actual receipt of any email or three (3) business days after the date of any properly addressed notice sent by mail as set forth below:

If to Wellfleet: Daniel R. Hoort
Town Administrator
Town of Wellfleet
300 Main Street
Wellfleet, MA 02667
Dan.Hoort@wellfleet-ma.gov

Wellfleet Selectboard
300 Main Street
Wellfleet, MA 02667

With a copy to: Gregor I. McGregor, Esq.
Olympia Bowker, Esq.
McGregor & Legere, P.C.
15 Court Square, Suite 500
Boston, MA 02108
gimcg@mcgregorlaw.com

If to CCNS: Brian Carlstrom
Superintendent, Cape Cod National Seashore
99 Marconi Site Road
South Wellfleet, MA 02667
brian_carlstrom@nps.gov

With a copy to: Melissa Boness, Esq.
Attorney Advisory, Boston Office
Office of the Solicitor
U.S. Department of the Interior
15 State Street, 8th Floor
Boston, MA 02109
Melissa.boness@sol.doi.gov

- e. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

- f. Severability. If any provision of this Agreement or its application to any circumstances is declared invalid or unenforceable by the final ruling of a court of competent jurisdiction, the remaining provisions and their application to other circumstances shall not be affected. In place of such invalid or unenforceable provision, there shall be substituted a valid and enforceable provision that most nearly accomplishes the Parties' original intention.

- g. Authority. The signatories below represent that they are duly authorized to sign on behalf of and bind their respective parties.

IN WITNESS WHEREOF, the Parties have caused this MOU IV to be executed by their respective duly authorized representatives on the day and year indicated.

[Signature page to follow]

CAPE COD NATIONAL SEASHORE

TOWN OF WELLFLEET

Brian Carlstrom, Superintendent of the
Cape Cod National Seashore

Janet Reinhardt
Chair of the Town of Wellfleet Selectboard

Date

Date

Kathleen Bacon
Member, Town of Wellfleet Selectboard

Date

Michael DeVasto
Member, Town of Wellfleet Selectboard

Date

Helen Miranda Wilson
Member, Town of Wellfleet Selectboard

Date

Justina Carlson
Member, Town of Wellfleet Selectboard

Date



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

VI

SELECTBOARD REPORTS



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

VII

TOWN ADMINISTRATOR'S REPORT

This report is for the period June 8, 2019 through June 21, 2019.

1. General
 - None
2. Fiscal Matters
 - None
3. Meetings
 - June 10 – Meeting with Police Chief and DPW Director to discuss citizen concern regarding Briar Lane, Holbrooke and Main Street intersection
 - June 10 - Interview Asst. Town Collector-Treasurer
 - June 11 - Interview Asst. Town Collector-Treasurer
 - June 11 – Herring River MOU IV conference call
 - June 11 – Selectboard meeting
 - June 13 – Breakfast meeting with Truro and Eastham Town Managers
 - June 13 – WEA negotiations
 - June 13 – Local Comprehensive Plan Committee meeting
 - June 13 – DCR public form on Rail Trail extension
 - June 14 – Outer Cape Health Center opening ceremony
 - June 17 – Cable Advisory Committee meeting
 - June 17 - MOU IV Conference Call
 - June 17 – Shark Mitigation Grant meeting at Seashore
 - June 18 – Community Engagement Training
 - June 19 – Selectboard meeting
 - June 19 – Dredging Task Force meeting
 - June 21 – Elementary Closing Ceremony
 - June 21 – 95 Lawrence Road task force meeting
 - June 22 – Senator Markey Town Hall forum in Dennis
4. Complaints.
 - Complaint about movement of memorial bench at Long Pond.
 - Noise complaint-The Well.
5. Miscellaneous.
 - none
6. Personnel Matters:
 - Open position: Assistant Town Administrator (29 resumes received)
 - Open position: Town Accountant



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

IX

MINUTES – A

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of June 11, 2019 minutes
PROPOSED MOTION:	I move to approve the minutes of the June 11, 2019 meeting as amended.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

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**Wellfleet Selectboard Meeting
Tuesday, June 11, 2019 at 7pm
Wellfleet Senior Center**

Selectboard Members Present: Chair Janet Reinhart; Helen Miranda Wilson; Kathleen Bacon; Justina Carlson; Michael DeVasto

Also Present: Town Administrator Dan Hoort; Executive Assistant Courtney Butler; Police Chief Ronald Fisette; Police Chief Lieutenant Michael Hurley; Director of Human Services Suzanne Grout Thomas;

Chair Reinhart called the meeting to order at 7:00 p.m.

ANNOUNCEMENTS, OPEN SESSION, AND PUBLIC COMMENT

- Wilson announced a public meeting about the bike path project, held by the DCR, on Thursday, June 13 at 630 pm at the Elementary School.
- Wilson asked residents to be mindful of the parking restrictions at the sluice between Gull and Higgins Ponds.
- Chief Fisette introduced summer officer Roshawn Groce.
- Chief Fisette announced the Special Olympics Tip-A-Cop Event on Wednesday, June 19 at The Pearl.
- Chief Fisette said that a triathlon will take place on Saturday, June 22 and will cause minimal road closures.
- Chief Fisette that a new shipment of bike lights has arrived and will be provided to J1 workers on June 26, after that date they will be available to the audience.

PUBLIC HEARINGS

Amend the Beach Rules and Regulations: Penalties and Enforcement Sections

Grout Thomas presented amendments to the Beach Rules and Regulations, as revised by herself and Shellfish Constable Nancy Civetta, who was not present. She noted that the Animal Control Officer, Desmond Keough, said they were not in compliance with MA state regulations for fees and fines. Grout Thomas asked to look at the amendments in two parts – the fines and the subject of horses and dogs on beaches. She asked that, in Civetta’s absence, to discuss and vote on only the amendments to the fee structure and to bring the discussion of dogs and horses on the beaches back at a later time. The current regulations will stand for the 2018 season.

Reinhart asked Grout Thomas about Fun Seekers, who provides kayak and SUP lessons and was approved for Use of Town property at the May 28th meeting. In regard to Section 7. Lessons and Events, Bacon asked Grout Thomas if she was okay with Fun Seekers using Gull Pond in-season from 6-9am and after 5pm. Grout Thomas said she had discussed this with Eric Gustafson, the owner of Fun Seekers and would speak with him again. Reinhart asked to include SUPs under lessons and events.

Bacon asked what the fine for not picking up after one’s dog was. Grout Thomas said this is a \$50 non-criminal violation, but can only be issued if the incident is seen in action. Bacon asked about increasing the fine and enforcement. Grout Thomas said to create a regulation that has a permanent

DRAFT

impact a general bylaw should be created. She also noted the issue of loose dogs. She suggested creating a committee to work on a bylaw to take to the public and adopt.

Wilson said the Shellfish Advisory Board came up with recommendations in 2006 to address the issue of dog feces being left on beaches and town property. She said the goal was enforcement, department support, and restriction from purchasing a beach sticker the following summer.

Reinhart asked Chief Fisette for his opinion. He said it is a hard issue to enforce, but the Animal Control Officer is actively working on it. Fisette said he sees both sides and that it will not be solved in a day. He agreed with Grout Thomas to set up a committee to come up with a way to move this forward.

Audience member Jody Birchall agreed with Grout Thomas to discuss the matter of dogs on beaches at a later time and to form a committee. She suggested working together as a Town, citizens and town employees, to address the bigger issue. Birchall also noted a lack of trash cans at the Pier in the winter, and beaches in the summer, making it less convenient for people to throw away their doggy bags.

Audience member Joan Consilla asked for better public awareness about the future discussion and asked for scientific data to be provided.

- Wilson moved to accept the amendments to the Beach Rules and Regulations as printed in Section 8 Enforcement and Penalties.
- Bacon seconded, and the motion carried 5-0.

COMMITTEE UPDATE

Parking Task Force

Denny O'Connell and Wayne Clough were present from the Parking Task Force. O'Connell said data would be available on the website after this evening's meeting.

The Task Force is charged with the study of and recommendations for parking throughout the Town. He said all meetings have been recorded and are on the Town website. O'Connell discussed the various surveys that were issued garner feedback to attempt to address Town parking needs.

O'Connell introduced Bruce Katcher who assisted the Task Force in their Taxpayer Survey. Katcher said that of the 3,500 surveys that went out, they received 893 back. He said 58% of the returned surveys were from non-residents and 41% from residents.

Clough shared suggestions from the survey results, which included 463 comments. The areas which received the most comments were about sharks, reserved spaces for taxpayers, chartered vehicles dropping off passengers, and technology to provide lot availability. Clough noted a discussion of having a shuttle, from an auxiliary lot to the ocean beaches, which was asked about in the survey. Survey results showed that respondents were split evenly on the issue.

DRAFT

Clough said the survey was sent to 107 businesses in town as well and has received 50 responses. Over 50% of these respondents are retail businesses located near downtown. Clough noted that 100% of respondents said the time when they have the most issues with parking is before 10 AM on weekends and holidays, but only 50% of their customers complain about parking.

Joe Abernath provided a report on the Marina survey that was conducted. The Marina has 450 slips for moorings, 200 people responded. There are 311 parking spaces, with 30 handicapped, and 60 spaces for trailers.

32% twice a week, 37% 3-5 times; 90% 3-5 hours+; 63% always able to find parking, 25% said no; 47% circle around, 18% mayo beach;

Wilson noted that the two electric vehicle charging stations are not accepting payment at this time. She also noted the issue of having a 2-hour time limit for parking spaces at Town Hall. O'Connell said respondents said they spend XX at the lot. Bacon asked how often the Task Force had met. O'Connell said twice a month since August. She asked what their budget was. O'Connell said that the Task Force does not have a budget and a member has paid for a Survey Monkey subscription to host their surveys.

Wilson thanked Reinhart for being the Board liaison to the Task Force.

LICENSES

Common Victualler/Food Truck – The Big Squeeze

Megan Duffy, co-owner of The Big Squeeze, presented her request for licenses. She said the truck will be located at the Farmer's Market, but they are using the Methodist Church kitchen to prep. They will serve fresh-pressed juices and vegan food options. Duffy said they were at the Wellfleet Farmer's Market last year, as well as several others on Cape.

- Wilson moved to approve the Common Victualler and Food Truck licenses for The Big Squeeze, LLC.
- Carlson seconded, and the motion carried 5-0.

Common Victualler/Food Truck/Business License – Leaside Café

Murro Van-Meeter presented his request for licenses. He has operated his food truck at Newcomb Hollow for 3 years, on a Concession Bid. Van-Meeter was the one and only bid application for this year. Bacon asked if Van-Meeter would be at White Crest again this year, similar to last year. He said no.

- Bacon moved to approve the Common Victualler, Food Truck, and Business licenses for Leaside Café.
- Carlson seconded, and the motion carried 5-0.

APPOINTMENTS/REAPPOINTMENTS

DRAFT

Wellfleet Representative on the Cape Cod Water Protection Collaborative – Curt Felix

Hoort said that he met with Felix this week and asked to not be reappointed. He said that Carlson has volunteered to take his place. Wilson said that, since the Board is the appointing authority, Carlson can not serve on the Board without special dispensation from Town Meeting. Carlson said she wanted clarification on this because the Collaborative is comprised of Selectmen. Wilson suggested voting to allow Carlson to act as the liaison, but not appoint her.

Reinhart asked audience member Sheila Lyons, who has previously served on the Collaborative, to explain its efforts and purpose. Lyons explained that the Collaborative is made up Selectmen because they are the ones who make decisions to get things done for their Town. Wilson thanked Lyons for her explanation and further noted concerns about appointing Carlson as the representative. Reinhart suggested moving to approve, rather than moving to appoint.

There was discussion about whether this was an approval or appointment.

- The board took no action.

Shellfish Advisory Board – Chip Benton

Benton presented his request to join the Shellfish Advisory Board. Bacon asked Benton who he would be replacing. DeVasto said Jim O’Connell had resigned. There was discussion about vacancies on the Board.

- Wilson moved to appoint Chip Benton to the Shellfish Advisory Board, as a regular member, with a term to expire on June 30, 2021.
- Bacon seconded, and the motion carried 5-0.

Parking Task Force – Bruce Katcher

There was no discussion.

- Bacon moved to appoint Bruce Katcher to the Parking Task Force for a 3-year term.
- Carlson seconded, and the motion carried 5-0.

Local Housing Partnership – Karen Kaminski

Kaminski introduced herself to the Board and audience. Bacon asked Kaminski if she was a full-time resident. Kaminski said yes.

- Wilson moved to appoint Karen Kaminski to the Local Housing Partnership for a 1-year term.
- Bacon seconded, and the motion carried 5-0.

BUSINESS

Option of One Signature on Warrant

Reinhart explained that warrants, such as for payroll, are currently signed by all 5 members, with at least 3 signatures needed to approve them. She said that approval of this motion would increase efficiency in processing warrants, because staff will not need to wait for Board members to come in and sign.

- Wilson moved to designate a member of the Selectboard to be the sole signer of warrants.

DRAFT

- DeVasto seconded, and the motion carried 5-0.
- DeVasto moved to appoint Wilson as the designated signer.
- Wilson seconded, and the motion carried 5-0.

Discussion of Use of Town-Owned Property Without Permission

Reinhart said the question of what people do on Town-owned property has come up often. She suggested having a working group meeting to discuss it. Reinhart noted members from Ceraldi and Mac's were in the audience. She said she spoke with the Health and Conservation Agent, Hilary Greenberg-Lemos, and wanted to clarify, for the record, that the beach abutting Mac's on the Pier is Town property, but that Greenberg-Lemos is OK with them being used in the capacity in which they are currently.

Michael Ceraldi said that their lot is technically the Town's property, and the dumpsters have been in the same spot in the lot for 40 years.

Reinhart said that the picnic tables at Mac's are owned and maintained by Mac's. Reinhart said that neither of these uses are causing any burden to the Town. She suggested an agreement that acknowledges these current uses of Town-owned property.

Wilson asked Mac Hay, owner of Mac's, where their dumpsters were located. Hay said the trash containers are on both Town and private property, but he maintains both. Wilson asked Ceraldi if the Town also owned his building, he said no. Wilson agreed with Reinhart that a formal agreement be in place with the Town and the restaurants. Hay asked where the Marina Enterprise jurisdiction end, and the Town's begin, saying he approached the Harbormaster years ago. He concurred that a formal agreement would be good and noted that they did ask permission prior to putting the trash bins down.

Carlson agreed to have a working meeting and invited Hay and Ceraldi to attend. Bacon said there is a policy for the Use of Town-Owned Property and a nominal fee. She said her concern with these entities was around liability.

Grout Thomas said there is no policy in place for people who apply for the Use of Town Property, are denied, and go ahead with their event anyway. She requested that the Board consider penalties for these situations when having their working meeting about this issue.

Audience member Alfred Pickard said there should be public parking signs around the Ceraldi building. Ceraldi said that he does not own the building but requested that if the lot is going to be advertised as a public lot it should be maintained as such as well. He cited that he pays fees to maintain it currently.

DeVasto asked if this could be handled through a Use of Town Property application. Reinhart said yes, but a meeting to discuss it further is needed. Wilson agreed with DeVasto and asked to make a motion to have the businesses covered for the Town through a regular Use of Town Property agreement, with mention of insurance.

DRAFT

Hay said that the picnic tables have been donated to the Town, and that this current arrangement provides ample liability coverage. He said his business is providing and maintaining that as a safe area. Wilson expressed concern that official acceptance of the picnic tables as a donation is not documented. Hay said that in 1984 the Selectmen recognized the donation.

Carlson said the area where the picnic tables are is a valuable piece of property and asked if the Town was being fairly compensated for the use of that land. DeVasto said there is a policy for determining how much to charge for Use of Town Property.

Hoort said he would begin working on an agreement to present at a work meeting.

Discussion of Selectboard Appearance in 4th of July Parade

Reinhart asked the Board who wanted to participate in the parade, the theme is Wellfleet's Heroes. She said there are two vehicles they can ride in – a police cruiser or the Chamber of Commerce vehicle. Wilson said she would like to walk. Carlson said she would like to be in a vehicle. Bacon said she would like to be on the Chamber's float, which highlights them as Wellfleet's Heroes. The Board, except Wilson, agreed to be part of the Chamber's float.

Personnel Contracts and MOU Approvals

- ***Teamsters Union***
- ***Firefighters Union***
- ***Police Chief***
- ***Police Lieutenant***
- ***Fire Chief***
- ***DPW Director***

Hoort said the personnel contracts have been discussed and approved in Executive Session, and now the Board needs to do the same in open session. Bacon asked about Article 11, Holidays, and if the day after Thanksgiving would be added. Hoort said the WEA has this holiday and that the Teamsters have requested it as well. Bacon expressed concern over the Transfer Station being closed this day. Hoort said it would not necessarily need to be closed that day, because staff could work that day and take the holiday at another point that pay period.

- Wilson moved to approve the MOU for the Teamsters Union, the Firefighters Union, the Police Chief, the Police Lieutenant, the Fire Chief, and the DPW Director and to authorize the Selectboard to sign the contract.
- Carlson seconded, and the motion carried 5-0.

SELECTBOARD REPORTS

- Reinhart said she attended an Economic Development forum in Chatham last week. She said she also attending a dredging meeting in Orleans with Dennis Murphy.
- Wilson said the Commissioner of the Marine Fisheries Advisory Committee reached out to the Town in regard to horseshoe crab production.
- Wilson said she attended a site visit and Conservation Commission meeting about 1440 Chequessett Neck Road.

DRAFT

- Carlson said she will be attending the Shellfish Advisory Board meeting Thursday, June 13, where state officials will be present to discuss the privatization of permits. Wilson and DeVasto said they would in attendance as well.
- Reinhart requested the Board have a working meeting to discuss the parameters for a policy on issuing Marijuana Host Community agreements.
- Wilson would like to meet with the manager of The Well regarding the recent noise complaint.
- Bacon requested staff follow up with Bol Acai Organic Café to see if they will be opening up in the space for which they were granted a license.

TOWN ADMINISTRATOR'S REPORT

This report is for the period May 25, 2019 through June 7, 2019.

1. General
 - None
2. Fiscal Matters
 - None
3. Meetings
 - May 27 – Holiday
 - May 28 – Selectboard meeting
 - May 29 – Insurance renewal meeting
 - May 30 – WEA negotiations
 - May 30 – Interview Asst. Town Collector-Treasurer
 - May 31 – Meeting with Channel Operations Manager
 - June 3 – Meeting with Bond Counsel
 - June 3 – Conference call with Herring River legal counsel
 - June 4 – Economic Development Strategy Meeting w State officials in Chatham
 - June 5 – Meeting with Barnstable County Administrator Jack Yunits
 - June 6 – Sexual Harassment Training for staff and volunteers
 - June 7 – Town Hall finance department meeting
4. Complaints.
 - Concern about the danger of Main St/Holbrooke Ave/Brian Lane intersection.
5. Miscellaneous.
 - Town web site updated
6. Personnel Matters:
 - Open position: DPW Facilities Manager
 - Open position: Assistant Town Administrator (27 resumes received)
 - Open position: Asst Town Collector/Town Treasurer (4 resumes received)

Hoort noted he also attended the Economic Development forum with Reinhart. He said he also spoke with Yunits about Dredging, and he recommends the Town buy their own dredge or split it with another town.

Bacon said she heard there was not a dredge to purchase. Hoort said this process will take a long time and a lot of research.

TOPICS FOR FUTURE DISCUSSION

- Reinhart asked for a working meeting to discuss the Host Community Agreements.
- Reinhart asked for a working meeting to discuss Use of Town Property.
- Bacon asked Hoort to reach out to the owner of BOL Organic Acai Bowls to get an update.
- Wilson asked to have the manager of The Well to appear before the board to address a noise complaint.

**CORRESPONDENCE AND VACANCY REPORT
MINUTES**

May 23, 2019 – Work Meeting

May 28, 2019 – Regular Meeting

The minutes of May 23 and May 28 were amended by Wilson and provided to Butler, who provided them to the Board.

- Wilson moved to approve the minutes of May 23, 2019 as amended.
- Carlson seconded, and the motion carried 5-0.

- Wilson moved to approve the minutes of May 28, 2019 as amended.
- Carlson seconded, and the motion carried 5-0.

ADJOURNMENT AND EXECUTIVE SESSION

Carlson moved to adjourn.

Wilson seconded, and the meeting adjourned at 9:33pm.

Respectfully submitted,

Courtney Butler,
Secretary

Public Records Material of 6/07/19

1. Email from Nancy Civetta to Courtney Butler re: Beach Rules and Regulations
2. Draft Beach Rules and Regulations as amended by Beach Administrator and Shellfish Constable
3. Common Victualler and Food Truck License application papers for The Big Squeeze, LLC and Leaside Café
4. Hawker or Peddler License for Leaside Café
5. Appointment Papers for Chip Benton, Bruce Katcher, and Karen Kaminski
6. Email from Helen Miranda Wilson to Courtney Butler re: Article 32
7. MOU Contracts for Teamsters Union, Firefighters Union, Police Chief, Police Lieutenant, Fire Chief, and DPW Director
8. Town Administrator's Report
9. Correspondence and Vacancy Report
10. Draft minutes for May 23 and May 28
11. Letter from the Board to MEPA re: 1440 Chequessett Neck Road



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: June 25, 2019

X

ADJOURNMENT

REQUESTED BY:	Chair
DESIRED ACTION:	Adjournment
PROPOSED MOTION:	I move to adjourn.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

